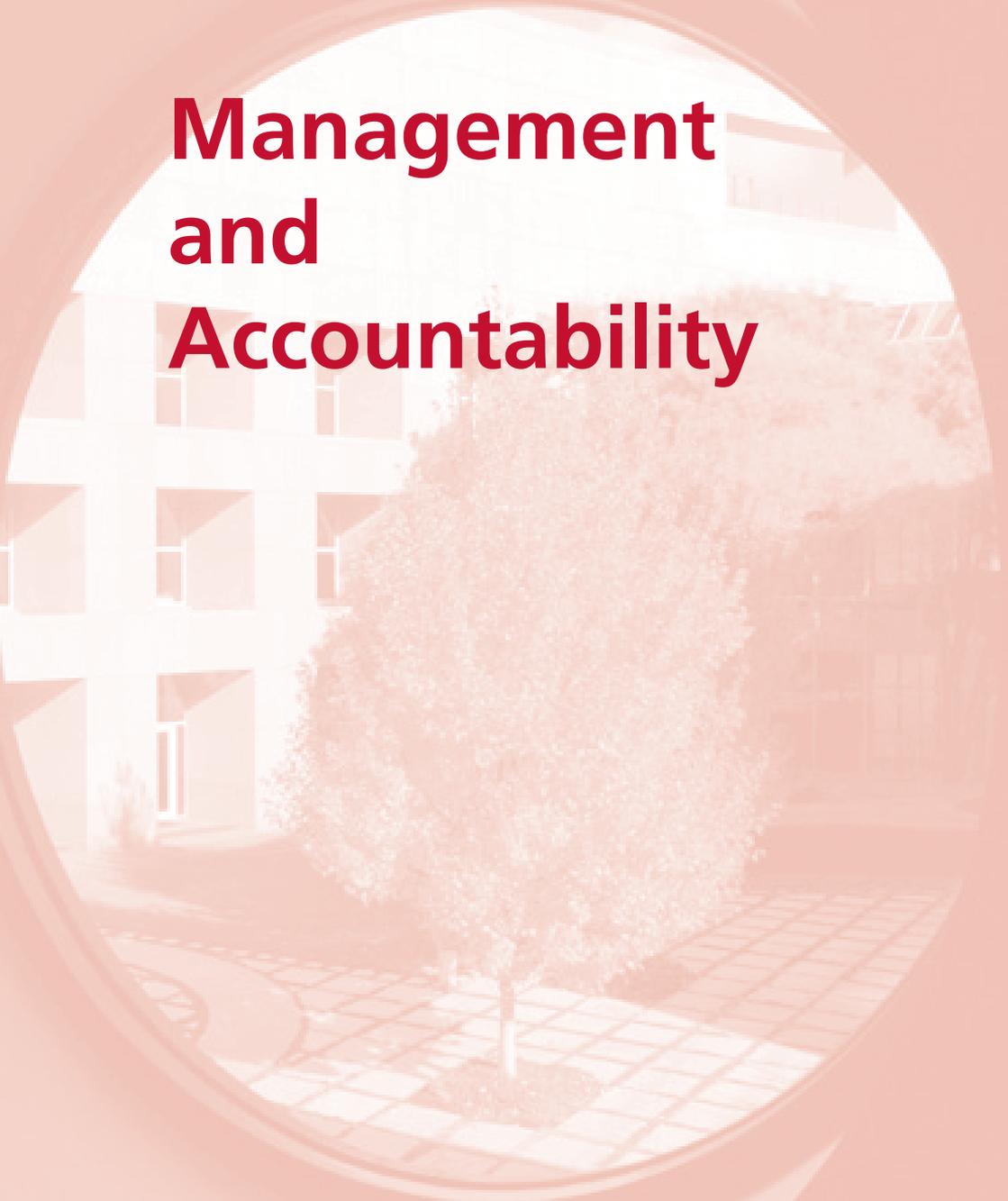


# **Management and Accountability**







## Corporate governance

### Corporate governance mechanisms

The department's operations are governed by the *Parliamentary Service Act 1999* and the *Financial Management and Accountability Act 1997* and are subject to provisions of the *Fair Work Act 2009* and other legislation.

In 2011–12, the department's mechanisms to implement best practice corporate governance included senior management and consultative committees and a strategic corporate plan.

### Management committees

At the strategic level, two groups under the supervision of the Clerk's Office, the Program Managers' Group and the Audit and Evaluation Committee, are responsible for implementing and monitoring corporate governance principles. The department's Senate Management Advisory Group assists the Program Managers' Group. During the reporting period, the Deputy Clerk continued to chair the Program Managers' Group. The Clerk, Deputy Clerk and the program managers also met as a senior officer group periodically throughout the year.

The Workplace Consultative Committee is the forum through which formal consultation on workplace relations occurs between the department and staff.

In addition, the department participates in the interdepartmental committees through which the parliamentary departments coordinate Parliament House-wide matters.

The role, membership and activities of the department's senior management committees and advisory groups are described in figure 19.

**Figure 19 Management and advisory groups, 2011–12**

Audit and Evaluation Committee	Program Managers' Group	Senate Management Advisory Group	Workplace Consultative Committee
<p><i>Role</i></p> <p>Oversee:</p> <ul style="list-style-type: none"> <li>internal and external audits</li> <li>administrative, operating and accounting controls</li> <li>risk management.</li> </ul> <p>Supervise the annual internal audit program.</p> <p>Ensure best practice financial management and reporting, fraud control and business risk monitoring.</p>	<p>Coordinate corporate governance matters, including:</p> <ul style="list-style-type: none"> <li>human resource management</li> <li>risk management and planning</li> <li>financial planning</li> <li>departmental service quality.</li> </ul>	<p>Discuss departmental proposals, policy initiatives and changes.</p> <p>Advise the Program Managers' Group on leadership and managerial matters.</p>	<p>Serve as the principal forum for formal consultation between the department and staff on workplace relations.</p> <p>Monitor and evaluate the impact of the department's enterprise agreement.</p> <p>Consider employment-related initiatives and matters that affect staff in the workplace.</p>
<p><i>Activities</i></p> <p>3 meetings</p> <p>Considered various matters which were reviewed by the department's internal audit service provider, including:</p> <ul style="list-style-type: none"> <li>Senate Centralised Information Database</li> <li>Performance Management Scheme</li> <li>online recruitment practices.</li> </ul> <p>Prepared an annual report to the Clerk and to the Senate Appropriations and Staffing Committee.</p>	<p>9 meetings</p> <p>Examined matters including:</p> <ul style="list-style-type: none"> <li>budget planning and reporting</li> <li>business continuity plans</li> <li>risk management</li> <li>the Parliament House website redevelopment</li> <li>workforce planning</li> <li>information technology issues.</li> </ul>	<p>5 meetings</p> <p>Reviewed various redrafted and new departmental policies including the performance communication, and learning and development schemes.</p> <p>Finalised the review of the group's terms of reference and its future role and activities in the strategic management of the department.</p>	<p>6 meetings</p> <p>Provided advice and recommendations on:</p> <ul style="list-style-type: none"> <li>the redrafted policies on probation and performance management</li> <li>changes to staffing arrangements</li> <li>the enterprise agreement implementation</li> <li>the meal allowance rate.</li> </ul>
<p><i>Membership</i></p> <p>Program managers and an independent member.</p> <p>Chaired by the Deputy Clerk.</p>	<p>Program managers.</p> <p>Chaired by the Deputy Clerk.</p>	<p>All departmental Parliamentary Executive Level 2 staff.</p> <p>Convenor elected annually by the group.</p>	<p>The Usher of the Black Rod, the Clerk Assistant (Committees), up to 12 elected staff representatives and union representatives.</p>

Audit and Evaluation Committee	Program Managers' Group	Senate Management Advisory Group	Workplace Consultative Committee
Observers: Chief Finance and Information Technology Officer, representatives from the Australian National Audit Office and the department's internal audit service provider.			Chaired by the Usher of the Black Rod.

### Structural review

As mentioned in the Clerk's Office chapter, the Senate Public Information Office was established in July 2011 in line with a recommendation from the structural review to coordinate and better manage the department's information resources and outputs. At the end of the reporting period, plans were well established to transfer web publishing staff to SPIO. The learning and development framework for staff was updated and continued to be used as the basis for employee professional development.

### Corporate plan and work plans

Work on revising the corporate plan was finalised with a view to implementing the revised plan in the second half of 2012. Annual work plans detail the tasks and expected performance results for each office of the department. Regular reports to the Clerk showed continued progress on the work plans during 2011–12.

### Fraud control and business risk management

The department has in place appropriate fraud prevention, detection, investigation and reporting mechanisms that comply with the *Commonwealth Fraud Control Guidelines*, as certified by the Clerk in appendix 3.

This framework for managing risk is revised regularly and made available to all staff via the department's intranet.

Consistent with the *Financial Management and Accountability Act 1997*, the Clerk's Instructions and Financial Management Guidelines promote the proper use of the department's resources. They are reviewed on an annual basis to maintain their applicability and coverage.

Risk mitigation strategies and the assessment of existing risk controls are regularly considered by senior management and reported to the department's Audit and Evaluation Committee.

Fraud control and risk management are standing items on meeting agendas of the Audit and Evaluation Committee. In addition, the risk management plan is a standing item for consideration at meetings of the Program Managers' Group.

## **Ethical standards**

The department upholds the Parliamentary Service Values and employees are required to comply with the Parliamentary Service Code of Conduct set out in the *Parliamentary Service Act 1999*. The values and code are integrated into departmental policies, where relevant, and into the corporate plan, which expresses the department's commitment to:

- independence and integrity
- good management and continuous improvement
- probity and accountability.

New staff are briefed on the expected ethical standards, and provided with supporting literature, on their first day with the department.

## **Social justice and equity**

As the department does not administer public programs, it does not directly implement a social justice strategy. However, the department aims to provide equality of access to its services, and equality of opportunity for employees.

## **External scrutiny**

The Finance and Public Administration Legislation Committee and the Standing Committee on Appropriations and Staffing monitor the department's performance. Neither committee made any specific recommendations relating to the department's performance during 2011–12.

Estimates committee hearings are an important mechanism for evaluating the department's activities. Senior departmental officers appeared before the Senate Finance and Public Administration Legislation Committee at the 2011–12 supplementary budget estimates hearings on 17 October 2011, the 2011–12 additional budget estimates hearings on 13 February

2012, and the 2012–13 budget estimates hearings on 21 May 2012. Issues considered included various procedural matters; the departmental budget and staffing; Parliament House Heritage Advisory Board; online access to the Senate for people with disability; the Senate changeover in June–July 2011; and committee workloads and resourcing.

The department's activities were also scrutinised by both the internal audit service provider and the Australian National Audit Office. The Australian National Audit Office did not conduct any performance audits of the department during the year.

The department was not subject to any judicial or administrative tribunal decisions which had, or may have, a significant impact on the department's operations.

## Management of human resources

### Staffing

The Clerk of the Senate is appointed by the President of the Senate under subsection 58(1) of the *Parliamentary Service Act 1999*. Staff of the department are engaged under section 22 of that Act.

The department's staff are located at Parliament House in Canberra. The department's staffing levels varied considerably during the period. As in previous years, the number of non-ongoing staff fluctuated to meet the workload generated by the sittings of the Senate.

Staffing levels were supplemented by:

- Australian Public Service officers participating in the department's Working in the Senate Development Program (one in 2011 and one in 2012)
- graduates participating in the Parliament of Australia Graduate Program (two each in 2011 and 2012).

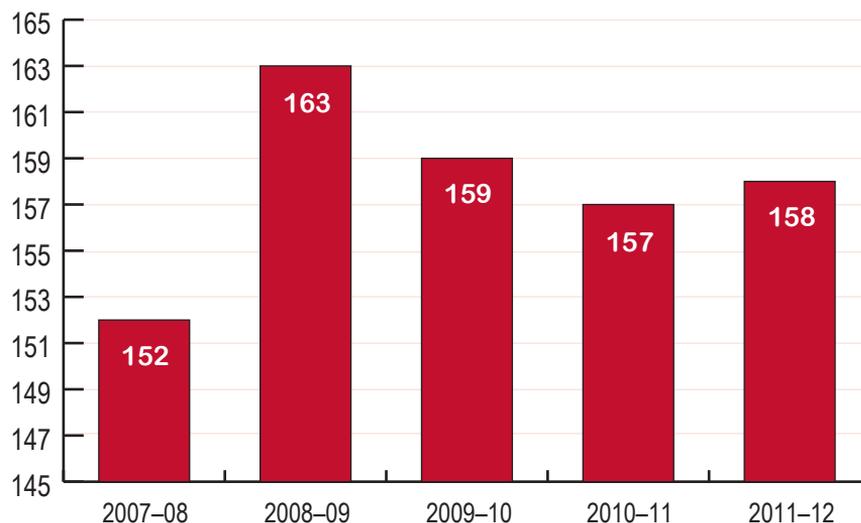
The Working in the Senate Development Program offers Senate work experience to officers from the Australian Public Service. During the period, two participants in the program were primarily attached to various committee secretariats, providing administrative and research support.

The Parliament of Australia Graduate Program also is run on a calendar year basis. In both 2011 and 2012, two graduates in Australian Public Service graduate programs participated in the program. Participation

involves the graduates being placed with the department for a three-month placement.

Figure 20 shows that the full-time equivalent (FTE) staffing level for 2011–12 was 158, one more than for 2010–11. More staffing statistics, including a breakdown of the FTE staffing level by office, are provided in appendix 2.

**Figure 20 Full-time equivalent staff numbers, 2007–08 to 2011–12**



## Workforce planning

Workforce planning for the whole department is undertaken annually. The department's 2011 and 2012 workforce reports displayed similar gender and age profile trends to those reported for the Australian Public Service in the *State of the Service Report 2010–11*.

Several initiatives were proposed during 2011–12 as a result of workforce planning in relation to:

- improved mobility of staff
- improved service provision
- professional development needs.

These were considered by the program managers and have been implemented or are being implemented.

## Staff turnover

The department continued to attract suitable applicants for its advertised employment vacancies, including for specialist roles. The *Gazette* and the department's website continue to be the main media by which applicants become aware of vacancies.

The number of staff separations in 2011–12 was more than in 2010–11. Table 8 shows the reasons for separations.

**Table 8** Reasons for separations from the department, 2009–10 to 2011–12

Reason	2009–10	2010–11	2011–12
Resignation	17	17	21
Retirement (age)	5	3	5
Retirement (other) or death	0	2	2
Return to home agency	2	6	2
End of non-ongoing employment	9	13	12
Transfer or promotion to another agency	8	11	13
<b>Total</b>	<b>41</b>	<b>52</b>	<b>55</b>

## Senior executive remuneration

The names of the department's senior executives appear in figure 1 in the 'Departmental overview' chapter and in reports on performance for each office.

The remuneration of the Clerk of the Senate, who is the holder of a statutory office, is set by the President of the Senate after consultation with the Remuneration Tribunal.

All of the department's Senior Executive Service (SES) staff were covered by a collective determination made under subsection 24(1) of the *Parliamentary Service Act 1999*. In accordance with their terms and conditions, and consistent with the provisions of the department's enterprise agreement, SES staff received a three per cent pay increase in May 2012 in recognition of productivity improvements and individual performance outcomes. The salary ranges for SES staff and the Clerk are set out in appendix 2.

## **Employment arrangements**

### **Enterprise agreement**

The department's enterprise agreement has a nominal expiry date of 30 June 2012. In May 2012, the agreement delivered a three per cent salary increase to staff. At 30 June 2012, all non-SES staff were covered by the enterprise agreement.

The enterprise agreement highlights the principles and objectives by which the department, and staff, will work towards achieving greater efficiencies and savings, and articulates the roles of parliamentary executive level staff.

The salary ranges applicable to non-SES staff classification levels are set out in appendix 2.

In addition to salary, staff are entitled to a range of benefits including leave entitlements, study assistance, guaranteed minimum superannuation payments at the same level as the department's nominated default fund and a range of allowances that support staff members in effectively carrying out their duties and being appropriately remunerated.

Negotiations for a new enterprise agreement were well advanced at 30 June 2012.

### **Performance pay**

The department's employment arrangements do not provide for performance pay.

### **Learning and development**

In consultation with supervisors, staff set professional development goals for a 12-month performance cycle. The department provides a target of three days of work-related learning activities each year.

During 2011–12, twelve employees received financial assistance, paid leave, or both, under the department's Studybank scheme, to help them undertake tertiary studies relevant to the department's objectives.

To supplement external training, the department conducts in-house learning and development activities during the year. In 2011–12, the department delivered staff training on:

- performance management

- delegations and authorisations
- time management
- client service
- work/life balance.

The department's professional development program, the Parliamentary Executive Professional Upgrade Program (PEP UP), continued in both 2011 and 2012. In 2011, PEP UP was restructured and became part of the new learning and development framework. Under the framework, the PEP UP program runs over two years. The program was open to all departmental staff in both years. It provides staff with technical information and develops their knowledge about the Senate, its operation and the work carried out by the department in support of senators. Feedback on PEP UP sessions indicates that the program is effective and supports the development needs of staff.

The department's program of corporate induction seminars for new staff continued during 2011–12.

### **Work health and safety**

On 1 January 2012, the *Occupational Health and Safety Act 1991* was replaced by the *Work Health and Safety Act 2011*.

The department's Health and Safety Management Arrangements remained in place following the introduction of the Work Health and Safety Act. These arrangements will be updated in the coming reporting period in consultation with staff. The current arrangements cover:

- agreed responsibilities
- workplace arrangements and consultation requirements including the definition of designated workgroups
- reporting mechanisms
- dispute resolution.

The department undertook a range of preventative measures in 2011–12 aimed at minimising the risk of workplace injuries and accidents.

### **Initiatives and measures**

Initiatives and measures undertaken in 2011–12 to create a safe and healthy working environment for the department's staff included:

- an ergonomic assessment of workstations for all new staff and for other staff as required
- an annual work health and safety (WH&S) inspection program for all work areas
- regular publication of WH&S information in the *Staff Bulletin*, which is distributed to all staff
- prompt action to address situations if staff reported early signs of injury
- an online material safety data sheet application for hazardous substances
- a health promotion program.

The department's Health and Safety Committee met four times during 2011–12. The committee is made up of elected health and safety representatives for each designated workgroup. Each representative is elected for a three-year term in accordance with the *Work Health and Safety (Transitional and Consequential Provisions) Act 2011*. The committee was consulted in relation to all incident and hazard reports received by the department.

Two new health and safety representatives were elected during the period and completed the mandatory training required by the role.

### **Claims, incidents and investigations**

Comcare accepted one claim for compensation in respect of the department during 2011–12.

In 2011–12, within the department there were:

- no accidents or incidents that required the giving of notice under section 68 of the *Occupational Health and Safety Act 1991* or section 38 of the *Work Health and Safety Act 2011*
- no investigations or notices under sections 29, 46 or 47 of the *Occupational Health and Safety Act 1991* or under sections 90, 191 and 195 of the *Work Health and Safety Act 2011*.

## Management of financial resources

### Purchasing

All goods and services were purchased in accordance with the *Financial Management and Accountability Act 1997*, the *Commonwealth Procurement Guidelines* and the Clerk's Instructions.

The most significant procurement activities during the financial year included:

- the joint project with the Department of the House of Representatives to implement the Table Office Production System
- digital imaging of the Senate's tabled documents
- ongoing furniture refurbishment
- 300 desktop computers for senators' Parliament House offices and departmental staff.

### Assets management

The Senators' Services, Information Technology, and Financial Management sections are responsible for the effective management of departmental assets in accordance with the Clerk's Instructions.

At 30 June 2012, the department controlled 3,604 assets with a fair value of \$2.43 million (last year's total was 3,389 assets with a fair value of \$1.92 million). A full revaluation of assets was conducted in 2011–12. In 2011–12, 315 assets were added and 100 assets were disposed of.

On completion of the annual stocktake in June 2012, 101 assets—with a combined depreciated value of \$7,108—were not located. The missing items result is immaterial and subsequent follow-up is expected to improve it further.

### Consultants and competitive tendering and contracting

The department's policies and procedures for conducting tenders, selecting consultants, contracting, and approving expenditure are set out in the Clerk's Instructions. Those instructions take into account the requirements of the *Financial Management and Accountability Act 1997*, the *Commonwealth Procurement Guidelines* and standing order 25(17) (relating to approval of consultants to assist committees).

## **Competitive tendering and contracting**

All contracts with a potential value greater than \$80,000 are open to a competitive tendering process through AusTender ([www.tenders.gov.au](http://www.tenders.gov.au)).

In accordance with recommendation 9 of the second report of the Standing Committee on Finance and Public Administration on the operation of the Senate order relating to departmental and agency contracts, information on the value of the department's contracts is available on the AusTender website.

In accordance with the Senate order relating to departmental and agency contracts, details of the department's contracts valued at greater than \$100,000 are also listed on the internet, at [www.aph.gov.au/senate/dept/contracts](http://www.aph.gov.au/senate/dept/contracts).

## **Consultants**

The department engages consultants to facilitate specialist projects or to obtain independent professional and technical advice.

In 2011–12, the department entered into two new consultancy contracts involving total expenditure of \$0.028 million. One further ongoing consultancy contract was active during the 2011–12 year, involving total expenditure of \$0.13 million.

## **Freedom of Information**

As mentioned in the 'Clerk's review', the Freedom of Information Act (FOI Act) which was originally passed in 1982 was designed to provide access to Government information. The parliamentary departments were excluded from the Act and parliamentarians were also not covered.

Nonetheless, the parliamentary departments had observed the spirit of the provisions voluntarily where possible and generally complied with the small number of requests received for information of an administrative nature.

However, due to a revised legal interpretation of the FOI Act, the Information Commissioner determined that the explicit exclusion of the parliamentary departments no longer applied to the two chamber departments and the Department of Parliamentary Services. (The Parliamentary Budget Office, which was established as a parliamentary department during the reporting period, has been expressly exempted from the application of the FOI Act.)

On 9 May 2012, the Australian Information Commissioner amended the guidelines issued under s 93A of the *Freedom of Information Act 1982* to state that the Department of the House of Representatives, the Department of the Senate and the Department of Parliamentary Services were henceforth subject to the FOI Act. (Prior to this, the guidelines had stated that the FOI Act did not apply to the departments of the Parliament.)

Since the revised guidelines were issued, the Senate Department has dealt with requests that have been received in accordance with the provisions of the FOI Act. In particular, the department had received a total of six requests at 30 June, one of which had been finalised by the reporting date (and the remaining five were under consideration). A senior departmental officer also participated as a member of a Parliament House departmental working group to develop consistent approaches to matters such as publishing an information request register on the Parliament House website.

This unintended application of the FOI Act has presented a significant workload in handling requests and undertaking reporting requirements. The department welcomes a wider review of the Act that has been foreshadowed by the Government and which is expected to occur towards the end of calendar year 2012. This will present an opportunity for a considered review of the applicability of the Act to the parliamentary departments.

### **Disability action plan**

Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy, which required each of them to have in place a disability action plan. In 2007–08, reporting by executive agencies on the employer role was transferred to the Australian Public Service Commission's *State of the Service Report* and the *APS Statistical Bulletin* (available at [www.apsc.gov.au](http://www.apsc.gov.au)). From 2010–11, departments and agencies were no longer required to report on these functions.

As this department is not subject to the Australian Public Service Commission reporting requirements, the department continued to support the elimination of disability discrimination through the following measures:

- the Committee Office has completed a trial of a service to convert committee submissions to HTML format to assist visually impaired people
- departmental staff had access to information on the types of services and equipment available to assist people with disability, and to the relevant contact details to obtain assistance
- committee secretariat staff had information, or could source information, about disability access to venues outside Parliament House
- disability groups were notified, as appropriate, of committee inquiries that were directly relevant to their members
- recruitment applicants and participants in committee inquiries, occasional lectures and Parliamentary Education Office (PEO) programs were invited to identify any special needs and steps were taken to accommodate them
- PEO role-play programs cater for the needs of students with hearing difficulties, colour blindness and intellectual disabilities.

Figure 21 describes the facilities, publications and services that the department provided in 2011–12 to assist members of the public with disability.

**Figure 21 Assistance for members of the public who have disability**

<b>Facilities</b>	<p>captioning of the televised proceedings of the Senate chamber, with functions for changing font size, colour and style of captions to enhance readability</p> <p>access to a teletypewriter (TTY) facility through the Parliament House switchboard for people with a hearing or speech impairment</p> <p>a link from the committees homepage to accessibility information and resources that assist visually impaired people to access documents</p> <p>audio loops for people attending the department's occasional lectures and committee hearings in Parliament House</p> <p>special parking arrangements for people attending occasional lectures and committee hearings</p> <p>seating available in waiting areas for people with disability</p>
<b>Publications</b>	<p>committee documents (such as reports, submissions and Hansards) available online and in hard copy</p> <p>Senate and departmental information available online in formats that aid user access, downloading and printing, with layouts and font sizes which can be manipulated by visually impaired people</p> <p>access through the Australian Broadcasting Corporation and Australia's Public Affairs Channel to broadcasts of selected occasional lectures</p> <p>live audio broadcasts of most interstate committee public hearings were available</p> <p>occasional lecture transcripts available in hard copy and as video and audio files on the internet</p> <p>email contact details or internet addresses on publications and publicity materials and details of the TTY service on committee webpage 'How to make a submission'</p>
<b>Services</b>	<p>interpreter services for witnesses attending committee hearings and for students attending PEO programs</p> <p>a personal escort for people with disability attending departmental seminars and occasional lectures</p> <p>national relay service utilised by PEO for contact with hearing or visually impaired people</p> <p>transcription facility available to assist visually impaired people to prepare submissions to committee inquiries</p> <p>a service, on request, to convert committee submissions to HTML format to assist visually impaired people</p>