

Clerk's Office

Outputs	
<p>Provision of advice on, and support for, proceedings of the Senate and its committees.</p> <p>Provision of leadership and strategic direction for the department.</p> <p>Provision of secretariat and advisory support to the Procedure Committee, the Committee of Privileges and the Committee of Senators' Interests.</p> <p>Provision of procedural information and related services to senators and the Senate Department.</p>	
Performance information	Performance results
<p>Advice and support are sound and timely, and provided to the satisfaction of the President, other office-holders, Senate committees and senators so that they are able to fulfil their roles.</p>	<p>Formal and informal feedback indicated high levels of satisfaction with advice on powers, privileges and proceedings.</p> <p>No advice was shown to be inaccurate and all advice and support was provided in time to meet procedural and operational requirements.</p>
<p>The capacity of the department and its employees to provide advice and support meets operational requirements.</p>	<p>Targets achieved under the learning and development framework underpinned the department's advisory and support capacities.</p>
<p>Governance structures advance achievement of the department's outcome.</p>	<p>Governance forums achieved all significant targets for the year, including devising and managing budgeting and staffing targets.</p> <p>Contributions to interdepartmental forums advanced the strategic aims of parliamentary administration.</p>
<p>Coordination of information resources advances awareness of the role and work of the Senate.</p>	<p>SPIO devised and published additional sources of information online and participated in the enhancement of the parliamentary website.</p> <p>Planned progress was achieved in significant projects related to production and management of information resources.</p>
<p>Advice, documentation, publications and draft reports are accurate, of a high standard and produced to meet the required timeframes.</p>	<p>All advice, documents, publications and draft reports produced in support of committees were of a high standard and met required timeframes; none were shown to be inaccurate.</p>
<p><i>Odgers' Australian Senate Practice</i> is updated each six months and a new printed edition is produced regularly.</p> <p>The <i>Procedural Information Bulletin</i> is produced two days after the end of sitting periods and other procedural resources are updated and augmented as required.</p>	<p>Following its publication in June 2012, an update to the 13th edition of <i>Odgers' Australian Senate Practice</i> was produced in multiple formats in January 2013.</p> <p>The <i>Procedural Information Bulletin</i> was produced within the specified timeframe following all sitting periods and estimates hearings.</p> <p>A regular newsletter was issued from the Clerk to senators, containing items of procedural interest, among other things.</p>

Overview

The Clerk is the administrative head 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 oversees the Senate Public Information Office (SPIO). The Deputy Clerk also has particular corporate governance roles, including as chair of the department's Audit and Evaluation Committee and the Program Managers' Group.

The cost of the office for 2012–13 was \$1.7 million, including \$0.6 million for SPIO.

Advice and information

The provision of written and oral advice has always been a priority of the Clerk's Office. Much advice is provided orally and instantaneously, particularly in the Senate chamber and to senators who seek advice in person. Such advice is impossible to quantify in any meaningful way but the number and kinds of written advices provide some indication of work undertaken.

Written advice

Figure 3 shows the number and kinds of written advices provided during 2012–13, and each kind as a proportion of the total. Figure 4 shows the numerical trend over the past five years.

The demand for written advice in 2012–13 reflects the continuation of a trend identified in last year's report, namely, the relative stability in the relationships between the Senate and the House of Representatives and the absence of any legislative disagreements between them. There was also an absence of any particular controversies involving individual senators or the integrity and rights of the Senate as an institution. The proliferation of information resources for senators and their staff, particularly online resources, may also account for a decline in the provision of advice on routine or reasonably settled matters. Furthermore, only one matter

of privilege was raised with the President during the year and only one application made for a right of reply under Privilege Resolution 5. As a reflection of this workload, no advice was commissioned by the Committee of Privileges. There was also only one occasion on which the Chairman of Committees was required to clarify the Senate's financial powers under section 53 of the Constitution and make determinations about whether amendments should be moved in the form of requests for amendments.

As a consequence of these factors, the number of advices provided in most categories was comparable with the number provided last year with a small increase in the number of advices to other persons and bodies (which includes inquiries from other parliaments).

Figure 3 Types of written advices provided by the Clerk, 2012–13

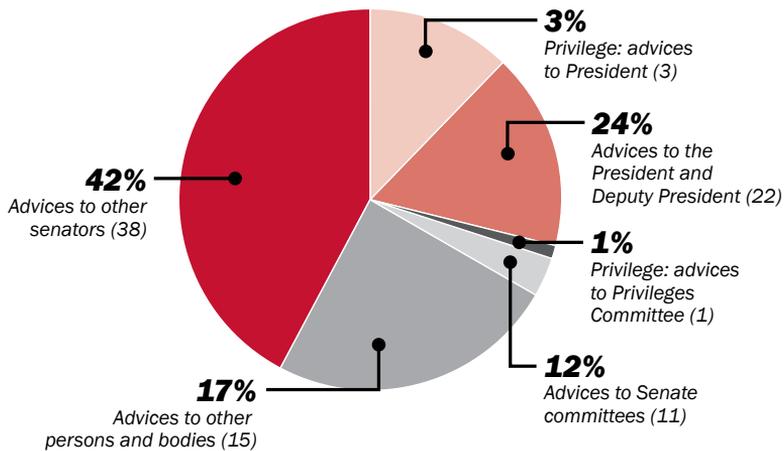
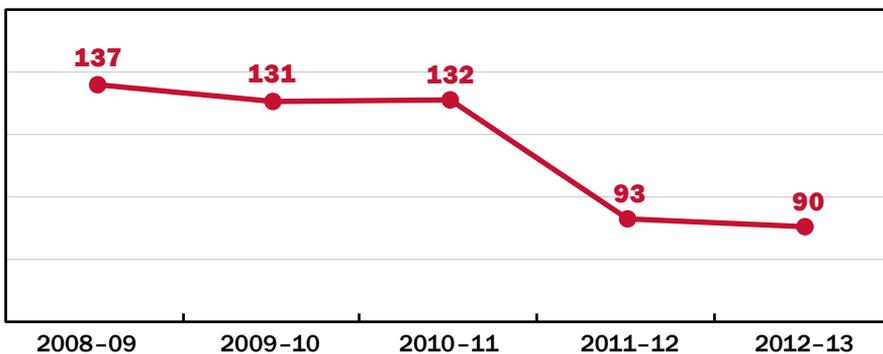


Figure 4 Number of advices provided by the Clerk's Office, 2008–09 to 2012–13



Submissions

The Clerk made submissions to the following inquiries:

- *Inquiry into the Parliamentary Service Amendment Bill 2012*, Finance and Public Administration Legislation Committee (submission, 11 December 2012, supplementary submission, 24 January 2013)
- *Inquiry into the Public Interest Disclosure Bill 2013*, Legal and Constitutional Affairs Legislation Committee (9 April 2013)
- *Inquiry into the Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011 [limitations on financial powers of the Legislative Council]*, Victorian Legislative Council Standing Economy and Infrastructure Legislation Committee (14 May 2013)
- *Provision of Amenity within the Parliamentary Triangle*, Joint Standing Committee on the National Capital and External Territories (31 May 2013).

In addition, together with the Clerk of the House of Representatives and the Secretary, Department of Parliamentary Services, the Clerk made a submission to the review by Dr Allan Hawke AC of the *Freedom of Information Act 1982* and the *Australian Information Commissioner Act 2010*.

Procedural information

The Clerk produced issues of the *Procedural Information Bulletin* after each sitting period and each round of estimates hearings, covering all the major procedural developments and matters of procedural interest which arose and also produced a newsletter to senators covering procedural information, as well as updates on administrative matters.

The Clerk also brought the 13th edition of *Odgers' Australian Senate Practice* up to date to 31 December 2012, by way of a volume of supplementary material and a consolidation published online, dubbed version 13.1.

Performance evaluation

Performance indicators for provision of advice focus on timeliness and accuracy. Challenges arise from the concentration of business on sitting days and from multiple committees meeting at the same time. The office invariably provided advice on time to meet the purposes for which it was sought.

On numerous occasions, recipients of advice published it as a contribution to public debate, at the same time subjecting it to public scrutiny. Similarly, advice provided by the office was frequently tested during estimates hearings and other Senate proceedings, with senators seeking and relying on such advice throughout the year. While sometimes contested, none of that advice was shown to be inaccurate.

Retiring senators paid tribute to the quality of support provided, as did new senators following their entry into the Senate to fill casual vacancies.

Committees

The office provides secretariat support to three Senate standing committees, all of which had inquiries during the year. In some cases, that support was supplemented by resources from outside the office. Advice and support met the needs and timeframes of the committees.

Procedure Committee

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

During the year the committee presented one report, in which it gave in principle support to the Senate hosting 'e-petitions' on the parliamentary website, and recommended further investigation of that approach. The report also recommended minor amendments to the routine of business (related to the consideration of 'non-controversial' government bills and time limits for speakers on adjournment debates), as part of an ongoing review.

Committee of Privileges

The Deputy Clerk served as secretary to the Committee of Privileges, which 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 also administers the right-of-reply mechanism for people seeking to respond to adverse comment made about them in the Senate.

The committee met seven times in 2012–13 (15 in 2011–12) and presented three reports: one on a possible contempt matter, one reporting on the committee’s inquiry into guidance for officers giving evidence or providing information to the Senate and committees, and the third on a right-of-reply matter.

Committee of Senators’ Interests

The Deputy Clerk also served as secretary to the Committee of Senators’ Interests, and helped senators to fulfil the requirements of Senate resolutions relating to declarations of pecuniary interests and gifts.

In 2012–13, the committee met twice, presented its annual report and, in November 2012, reported on the development of a draft code of conduct for senators. The secretariat published statements of senators’ interests online and prepared volumes of statements and alterations which were tabled on 29 November 2012 and 27 June 2013.

Governance

The Deputy Clerk chaired the Program Managers’ Group; provided liaison between that group and the Senate Management Advisory Group; chaired the Audit and Evaluation Committee, and was secretary to the Senior Officers’ Group, chaired by the Clerk. More information on these forums is in the chapter ‘Management and accountability’.

Measures to implement and monitor a staffing cap were established in May 2012, in response to the additional efficiency dividend imposed on the department’s budget during the financial year. These measures were discussed in the department’s management forums and overseen by the Deputy Clerk and the Usher of the Black Rod.

The Deputy Clerk also served on the Steering Committee for the Review of Information and Communication Technology (ICT) for the Parliament, initiated by the Presiding Officers, which reported in October 2012 and on the Parliamentary ICT Advisory Board (PICTAB) established in accordance with the recommendations of that review.

The principle recommendations of the ICT review involve the centralisation of parliamentary ICT in a single branch within the Department of Parliamentary Services (DPS), with strategic direction drawn from across the Parliament and the parliamentary administration. The Presiding Officers adopted the recommendations, with only minor variations, and the Senate department worked with the other departments to meet the initial timelines set out in the review to establish a 'one-stop-shop' for ICT support from 1 July 2013. The Deputy Clerk also contributed to the development, overseen by PICTAB, of an initial Strategic Plan for ICT for the Parliament, to be implemented early in the next reporting period.

More broadly, the Clerk advanced the strategic direction of parliamentary administration through liaison with counterparts in the other parliamentary departments on corporate and administrative matters, particularly through quarterly meetings of the four department heads.

Managing public information resources

SPIO was established in July 2011 to coordinate the department's information resources and improve our approaches to publishing and sharing information. Web publishing staff transferred to SPIO at the start of 2012–13, and some project staff from PEO transferred toward the end of the year.

The office has two broad streams of work. The first involves developing and publishing information resources, which in 2012–13 has focused on enhancing content on the parliament's website and producing additional web resources, including online exhibitions curated by the Senate's Research Section and the website for the 25th anniversary of Parliament House. With the transfer of PEO staff, the office is also now responsible for the PEO's website and the development of related education and outreach resources.

SPIO has this year chaired the Web Coordinators' Group, comprising the

web publishing staff of each of the parliamentary departments, which is responsible for producing content for, and monitoring, the Parliament's website.

The second stream of work involves project management and liaison. This has focused this year on projects, undertaken with the Department of the House of Representatives, to redevelop core business systems that:

- produce the procedural documents supporting the work of both Houses
- manage submissions to parliamentary committees and other committee documents
- publish committee reports and web pages.

These projects will be completed in the second half of 2013. It is expected that responsibility for these systems will transfer to DPS in line with the centralisation of ICT during the next reporting year.

Performance outlook

The focus in the next period will include advice surrounding the opening of a new parliament, as well as support and orientation programs for a number of new senators. We will also prepare for the commencement in July 2014 of state senators elected this year.

The main output of the office will continue to be advice to senators and others about the powers and procedures of the Senate. This is supported by the planned rotation of senior staff during 2013–14.

No doubt the quantum and character of advice sought will shift in response to any changes in the composition of the Senate and the political and procedural dynamics between the two Houses. Advice and support for the committees managed by the office will be provided in accordance with their requirements, with the expectation in particular that the Procedure Committee will continue to review the routine of Senate business.

The shift to more strategic arrangements for support of the Parliament between the different elements of the parliamentary service will also continue, with a focus on bedding down new ICT arrangements, ensuring adequate levels of support for the systems underpinning the core work of senators in the Senate and committees.

SPIO will also manage the implementation of new IT systems which promise to reduce significantly the manual intervention required to generate and publish parliamentary material, including committee reports and web pages. This will allow further efficiencies in publication processes and provide committees, in particular, more flexibility in raising awareness of their work.

