

Clerk's review

The Department of the Senate provides the secretariat to the Senate – enabling its legislative and accountability activities – and to dozens of parliamentary committees, whose work encompasses the Senate's scrutiny functions and its exercise of Parliament's broad inquiry powers. In doing so, we provide the Senate, its committees, the President and other senators with expert, impartial advice about Senate and committee operations.

We publish the Senate's records, and produce an array of information resources so that people may understand and engage in its work. We also promote an understanding of the purposes and operations of Parliament through seminars, lectures and other information projects; and through our world-class Parliamentary Education Office, which provides experiential learning on-site for 90,000 students each year, and for many more through its outreach programs and presence online.

2017–18 was the middle year of the 45th Parliament, and a textbook middle year in some ways, with the department supporting 57 sitting days – around the average for non-election years – and four dedicated weeks of estimates hearings. The level of demand for formal, written advice was consistent with recent years, as were other metrics, such as bills passed and documents tabled. But of course, it has been anything but an ordinary year in the Australian Senate, with 'section 44' and the dual citizenship saga cutting a swathe through its membership, leading to significant, mid-term changes in the Senate's composition.

In all, 12 new senators commenced their terms during the year; eight by way of recounts ordered by the High Court after senators were disqualified, and four filling the casual vacancies of retiring senators. The previous year's historically largest crossbench – 21 of 76 senators – contracted slightly to 19, as two independents joined the government. As well as this unprecedented turnover, six senators no longer represented the parties on whose tickets they were elected. By year's end, the Senate comprised the Coalition in government, the Labor opposition, the Australian Greens, nine other senators representing seven different parties, and one independent. Almost one-fifth of the senators elected only two years before were no longer in the Senate.

As has been observed before, the composition of the Senate affects the demand for the department's services. This is the backdrop against which the Senate department provided advice and support to senators during 2017–18.

Advice and support

Our workload is principally determined by senators themselves; by the decisions they make, individually and collectively, in the course of their work. Trends noted in recent years – substantial demand for procedural and legislative support, and intense levels of committee activity – were again evident, as they have been since the advent of a larger, more diverse crossbench in the 44th Parliament.

For opposition and crossbench senators, as well as backbench government senators, procedural and legislative advice and support is principally provided through the Senate Procedure Office. During 2017–18 that office continued to assist senators by drafting bills and legislative amendments. Thirty-one private senators' bills were prepared and introduced (compared with 21 last year), while more than 1,000 legislative amendments were prepared and circulated in the Senate (667 last year), with many more drafted for senators' use elsewhere. The office also provides procedural advice and documentation, preparing more than 700 procedural scripts for senators' use, consistent with levels last year. Similar procedural support is provided by the Table Office for the President and Deputy President, and for ministers and committee chairs, with around 1,550 procedural scripts provided.

The committee activity supported during the year remains well above the long-term average, although slightly below the extreme peaks of the past few years. Our Committee Office managed 125 new references; arranged around 350 hearings and twice as many private meetings; analysed the evidence from around 7,000 submissions and a similar number of witnesses; and prepared more than 200 reports for tabling. In addition, we supported the three legislative scrutiny committees in producing reports each sitting week, analysing bills and instruments, and the Senate's other domestic committees in producing ad hoc reports as required. This is an impressive body of work by any standard, and senators routinely (and rightly) praise the efforts of secretariat staff in meeting this demand.

The Senate elected a new President, Senator the Hon. Scott Ryan, in November 2017, and the department provided advice and support to him as he commenced in that role. Because of the changing composition of the Senate we provided induction programs for new senators throughout the year, as well as ongoing training for senators' staff. Similarly, on top of our usual office and entitlements support for senators, we also provided additional support to incoming and departing senators alike.

In simple terms, we succeed in our core business when the Senate and its committees are able to meet in accordance with their own decisions; and when senators (and others) have the advice and support they need to participate in those meetings. In the context of continued elevated demand for advice and support, formal and informal feedback suggests that our key performance indicator – senators' satisfaction with the advice and support we provide – was met well throughout the year.

Our annual performance statement, beginning on page 13, expands on that story.

Administration and organisational change

Last year's report noted that the underlying appropriation for the department was increased by \$3.7m per annum from 1 July 2017. After recent 'one-off' supplementation, the ongoing funding is valuable for planning purposes. The funding has in particular enabled us to maintain staffing for committees at a level commensurate with the committee activity observed in recent years, and we have committed to maintaining those staffing levels so long as the elevated demand for secretariat support persists.

A new enterprise agreement between the department and its staff commenced in November 2017, with a notional duration of three years and salary increases in line with those permitted under the government bargaining framework. A challenge noted at the time is the need for the department to streamline its work to provide the productivity offsets necessary to fund the agreement while bringing more resources to bear in direct support of senators' legislative and committee work. In that regard we have this year improved the systems used to prepare and publish committee reports and other materials, which will be rolled out to all of our secretariats next year. We have also realigned the duties of a number of staff – particularly in the Procedure Office – to increase their involvement in procedural and legislative support during sitting weeks, responding to the continued high demand from senators for these services and providing sound training in our core procedural work.

Another aspect of our approach to training involves the periodic rotation of staff at different levels. As part of this, the promotion and rotation of senior executive staff in the first half of 2017 meant we had a new leadership team in place during the year. Although the learning curve can be steep, this approach has demonstrated its value in helping us maintain our institutional knowledge and the capacity of the department to support the Senate and senators. My thanks to those staff for their efforts, which have placed the department on a sure footing after a period of transition.

We also made some minor changes to our organisational structure during the year. Since its inception, the Senate Public Information Office has been included within the Clerk's Office. This year, SPIO became a stand-alone office, led by the Clerk Assistant (Table), who assumed prime responsibility for engaging with the other parliamentary departments on ICT matters (a role previously spread across several staff). In a similar vein, the Parliamentary Education Office has long been a component of the Procedure Office but, from 1 July 2018, has also been established as a stand-alone office, to emphasise the distinct character of its work. It continues to be led by the Clerk Assistant (Procedure).

With our colleagues across the Parliamentary Service we provide specialised advice and logistical support to senators so they may undertake their duties. Cooperation across the service is integral to providing more seamless support for the Parliament, and there are numerous examples of staff at all levels working toward that goal, whether in ICT projects, managing remote committee hearings or consolidating aspects of parliamentary administration. I'd like to again thank my colleagues, David Elder, Rob Stefanic and Jenny Wilkinson, for their collegiality throughout the year.

It would be remiss of me not to thank the staff of the Senate department, on whose skills, knowledge and dedication the department's capabilities rely. In a statement on the last sitting day in 2017, the President thanked 'the extraordinary staff of the Department of the Senate,' describing them as 'custodians of the traditions and customs of this place ...' dealing with 'unprecedented challenges ... and difficult circumstances with professionalism and aplomb.' I could do no better than to echo those sentiments.

Looking ahead

In 2018–19, we will work with DPS to examine whether a centralised model for processing corporate transactions for the parliamentary departments is feasible, cost-effective and appropriate to the needs of the department, the Senate and senators. The process will involve engagement with our corporate staff, as well as with senators through the Appropriations, Staffing and Security Committee, which examines proposed changes to the structure and responsibilities of the parliamentary departments.

Projects to revamp our online statistical collection, and to deliver live, updatable programs for estimates and other committee hearings will be finalised early in the next reporting period. We also expect traction on a number of useful IT projects, including further enhancements to systems used by our committee staff and a system to receive and publish digital copies of government documents. We will also participate in the development of a new digital strategy for the Australian Parliament, led by DPS, and redevelop the PEO website.

In the main, though, we will support the Senate and its committees through the last stages of the 45th Parliament. Demands on our funding are expected to be slightly lower next year, with a likely reduction in legislative and committee activity during the election period, when that comes. The great unknown, of course, is the likely composition of the Senate in the next parliament, including whether the crossbench will continue to comprise a quarter or more of the Senate, and how any changes will affect levels of legislative and committee activity. We will monitor that activity as the next parliament gets underway to determine whether current funding levels continue to suffice.

Finally, we will have an Opening of Parliament to plan and, depending on election timing, execute, as well as induction arrangements for a new intake of senators after 1 July 2019.

Richard Pye
Clerk of the Senate