

Annual performance statements

As the accountable authority of the Department of the Senate, I present the department's annual performance statements for 2018–19, as required by subsection 39(1) of the *Public Governance, Performance and Accountability Act 2013*. In my view, these statements are based on properly maintained records, accurately reflect the department's performance and comply with subsection 39(2) of that Act.



(Richard Pye)
Clerk of the Senate
11 October 2019

Performance reporting framework

Overview

In 2018–19, the department successfully achieved its purpose of facilitating all meetings required under decisions of the Senate and its committees. In doing so, the department provided comprehensive, timely and high-quality support to senators, the Senate and committees, as well as prompt and accurate procedural advice and legislative support.

Throughout the year the department also:

- published a range of materials on the role and work of the Senate and the Parliament, and delivered effective education and information programs
- managed its staff in accordance with its enterprise agreement, provided learning and development opportunities, and undertook a number of health and well-being initiatives to maintain the department's capabilities, and
- delivered its services in a cost-effective manner and in accordance with accountability requirements.

At the end of the reporting period, the department:

- provided an intensive induction program for new senators appointed following casual vacancies or elected at the 2019 election, so that they could perform their constitutional roles, and
- facilitated arrangements for the swearing-in of the Governor-General for 1 July 2019, and coordinated and planned the opening of the 46th Parliament for 2 July 2019, both in partnership with colleagues from the Department of the House of Representatives.

The department continued to work with the other parliamentary departments to deliver its services, to improve support for the Parliament and the work of its members and to enhance the strategic direction of the parliamentary service. In this reporting period our collaborative work included the development of the *Australian Parliament Digital Strategy 2019–2022*, a number of joint ICT projects such as a new online system for parliamentarians to lodge their interests' statements, and planning for the opening of the 46th Parliament.

The department's financial result of the year was a surplus of \$0.037m (excluding depreciation). This result reflects that current resourcing levels were adequate in a reporting period with the tapering demand of an election year. The department will need to give further consideration to the adequacy of resources to sustain the department into the future. An analysis of the department's financial performance and the financial statements commence at page 75.

These annual performance statements record the department's results against the planned performance table in figure 2 (right), which is derived from its *Corporate Plan 2018–19* and *Portfolio Budget Statements 2018–19*. They are based on records of services provided by the department, feedback recorded by departmental staff and comments made by relevant groups and committees. The department's performance framework was examined in two phases by the internal auditors. The first phase reviewed the department's draft performance information for the 2019–20 PBS, while the second phase assessed whether the department's internal framework supported its performance reporting. The audit found that the department maintains an appropriate internal suite of specific measures for each performance criteria.

In summary, this data shows both a high level of demand for the department's services and advice, and satisfaction with what is provided. The Senate's requirements in the final year of an electoral cycle peak before tapering off as the Parliament is prorogued for the election. This was evident in the demand for the department's services. Factors influencing demand are analysed further below.

Results

Advice about the operations of the Senate and its committees

ASSESSMENT

Senators (and others) have the advice and support they require to participate in meetings of the Senate and its committees



One of the key outputs of the department is advice about the operations of the Senate and its committees. Much of this advice is given verbally and instantaneously by the Clerk and other senior officers in the Senate, and by committee secretaries and their staff during committee meetings. These officers also provide procedural advice to senators and their staff at other times, both verbally and in writing. Committee secretaries are supported in providing advice by the Clerk Assistant (Committees) and Senior Clerk of Committees, ensuring advice to committees is consistent and accurate.

Figure 2 – Planned performance

PURPOSE

The Senate department is the secretariat to the Australian Senate. All of our functions derive from this purpose and our work is substantially driven by the requirements of the Senate and senators.

We facilitate meetings of the Senate and its committees. We succeed when the Senate and its committees meet in accordance with their decisions, and when senators and others receive the advice and support they need to participate in those meetings.

In planning terms, the department's purpose is expressed as a single outcome – provide advisory and administrative support services to enable the Senate and senators to fulfil their representative duties and exercise the legislative power of the Commonwealth.

These services are delivered through a single program.

PROGRAM 1

Advice and support – Secretariat support for the Senate and its committees, and advice and support to enable senators and others to participate in their meetings.

DELIVERY

The department's outcome is delivered under a single program, comprising services and activities in the following areas:

- Advice about Senate and committee proceedings
- Secretariat support for the Senate
- Secretariat support for committees
- Administrative advice and support for senators
- Public information and parliamentary education, and
- Capability, governance and accountability.

ASSESSMENT

The department's activities enable the Senate and its committees to meet in accordance with their decisions.

Senators (and others) have the advice and support they require to participate in meetings of the Senate and its committees.

Senators are satisfied with the administrative advice and support they receive from the department.

Public information and parliamentary education programs are current and accessible to target audiences.

All known governance and accountability obligations to the Senate and under statute are met.

Senators and other recipients of written advice continued to acknowledge its value, and advice was provided within agreed timeframes to meet the purposes for which it was sought. On numerous occasions during the year, recipients of advice published it as a contribution to public debate, at the same time subjecting it to public scrutiny. When committees seek the Clerk's advice it is almost always for the purpose of publishing it, to show the basis on which committees may have taken particular decisions or reached particular conclusions. No committee expressed dissatisfaction with advice received.

Advice about the programming of business in the Senate is the responsibility of the Clerk Assistant (Table), as is the provision of advice and support to government Senate office holders. Procedural advice and support for non-government senators is a particular responsibility of the Deputy Clerk and the Clerk Assistant (Procedure). Senators continued to acknowledge the value of their advice. The Clerk Assistant (Procedure) and her office also drafted large numbers of legislative amendments and private senators' bills, helping senators participate in legislative proceedings. Amendments and bills accurately reflected the drafting instructions and were prepared within required timeframes and to the satisfaction of senators.

Advice provided by the department was also tested during estimates hearings and in other Senate proceedings and senators relied on such advice throughout the year. In addition to comments made by senators recorded in *Hansard*, feedback from senators, particularly at the conclusion of the 45th Parliament, indicated high levels of satisfaction with both advice and the levels of administrative support provided.

Procedural briefings among senior officers and the publication and dissemination of procedural resources assisted in maintaining the capacity of officers to provide advice and support.

Secretariat support for the Senate and its committees

ASSESSMENT

The department's activities enable the Senate and its committees to meet in accordance with their decisions



This outcome has been met during 2018–19 through two program components.

1. Secretariat support for the Senate

The department provided secretariat support for the Senate on each of its 37 sitting days.

During the sittings the Clerk, the Deputy Clerk and senior officers provided advice in the Senate to the President, Deputy President and other occupants of the chair, as well as to other senators and their staff. The Table Office and the Procedure Office provided procedural scripts and advice to assist senators participating in proceedings. Feedback from senators acknowledged the value and accuracy of this advice and support.

The Black Rod's Office provided formal and ceremonial support for sittings, including the swearing in of five new senators.

The Table Office and Senate Public Information Office (SPIO) published the Senate's formal records and informal guides to its work. These resources were accurate and timely, and produced to meet the needs of senators and Senate deadlines. Documents supporting the Senate's legislative work were also uniformly accurate and timely. Documents received for tabling were processed, recorded in procedural documents and archived. Increasingly, documents and business information are published online, enhancing the ability of senators and others to follow and participate in Senate proceedings, and further improvements to digital publishing processes and online measures were implemented during the reporting period.

2. Secretariat support for committees

The department provided secretariat support for all committee meetings required under decisions of the Senate and of committees themselves, including those joint committees to which the department provides such support. This support was primarily provided by the Committee Office, although the Clerk's Office, Table Office and Procedure Office also supported a number of standing committees.

Secretariat support for committees encompasses:

- procedural advice for the chair and other members, including advice and support to new senators
- logistical support for meetings (including interstate hearings)
- preparation of meeting documents, including minutes and agenda
- managing and publishing submissions, and organising witnesses
- research, analysis of evidence and briefings to members, and
- preparation of draft reports, and their finalisation for tabling.

The Committee Office experienced another sustained period of very high workload, tapering slightly as the end of the Parliament neared. The office supported 16 legislation and references committees, seven select committees and six joint committees, undertaking between them, at one point, 66 separate inquiries. Secretariat staff in the Committee Office processed more than 5,400 submissions, arranged 286 public hearings (which heard from almost 6,000 witnesses) and 522 private meetings. The Senate made 70 references during the year and the office assisted in drafting 172 reports.

Advice, documentation and draft reports were consistently provided to committees in accordance with their requirements. Reports were drafted and presented to the Senate in accordance with the timeframes set by committees and by the Senate.

Secretariat staff work closely with senators in supporting committees and, in particular, work closely with the chair in preparing draft reports. This provides an ongoing opportunity for direct feedback about senators' satisfaction. Despite the considerable workload, this direct feedback continued to indicate high levels of satisfaction.

Senators referring to committee reports during debates in the Senate also indicated their high levels of satisfaction with the support provided by secretariat staff.

Administrative advice and support for senators

ASSESSMENT

Senators are satisfied with the administrative advice and support they receive from the department.



The department, principally through the Black Rod's Office, provides support services to the Senate, to Senate committees and to senators at Parliament House. These services include preparing and supporting the Senate chamber for each sitting day, general office support, asset management, maintenance of equipment and furniture, and stationery services. The office also paid senators' salaries and allowances as required, organised office accommodation within the Senate wing and provided other services such as arranging transport and delivery services.

A significant focus of the office in the fourth quarter of 2018–19 were preparations for the swearing in of the Governor-General, planned for 1 July 2019 and the opening of the 46th Parliament, scheduled for 2 July 2019. The preparation for these events required significant coordination between the parliamentary departments, the Department of the Prime Minister and Cabinet, the High Court and Government House.

The office also made arrangements for the retirement of senators on 30 June 2019 and the commencement of new senators' terms on 1 July 2019, including office accommodation movements and payroll activities. The timing of the new Senate and the scheduling of the major events required a great deal of logistical coordination and planning. Informal feedback received from senators and other stakeholders was positive in regards to the preparation and efforts to accommodate all arrangements.

The Usher of the Black Rod provided security advice and support to the President, committees, senators and the department. The Usher of the Black Rod and Deputy Usher of the Black Rod also worked with colleagues in the DPS Security Branch and the Serjeant-at-Arms' Office, and with the Australian Federal Police, providing the Senate's perspective on security matters.

Services were delivered within established timeframes and met relevant legislative requirements. This aspect of the department's work involves regular and direct contact with Senate office holders, senators and their staff, and other stakeholders, all of whom provided regular informal feedback which was generally positive. Positive comments were also recorded in *Hansard* about the quality of the support for senators provided by the office and the department.

Public information and parliamentary education

ASSESSMENT

Public information and parliamentary education programs are current and accessible to target audiences



The department continued its program of providing public information programs, including 25 seminars, eight training programs for senators and their staff and seven public lectures this reporting period; as well as publishing material on the role of the Senate and its committees. The formal and informal feedback regarding these services indicated that the programs effectively met their objectives.

Through the Parliamentary Education Office (PEO), the department also delivered a comprehensive education program to students visiting Parliament House from more than 1,600 Australian schools, as well as an outreach program to students in Western Australia, South Australia, Victoria and New South Wales. Attendance levels, requests for training and educational programs and feedback collected from these sessions indicated high levels of satisfaction among those accessing these services. Continuing growth in the number of users of the PEO website illustrated high levels of satisfaction with educational information and resources provided online.

SPIO develops and publishes a range of public information resources to support the operation of the Senate, including on sitting days the *Dynamic Red* and *Senate Daily Summary* and during estimates hearings *Live Estimates*, and manages the department's web presence and twitter account @AuSenate. The office also collates statistics on Senate activity and in this reporting period completed a significant project to redesign the statistical database, *StatsNet*. These resources were provided on all sitting days, and accurate, reader-friendly public information resources were delivered within established timeframes.

Governance and accountability

ASSESSMENT

Accountability obligations to the Senate are met



Senate committees provide opportunities for senators and others to monitor the department's performance. The department met its accountability obligations to the Senate during the year, particularly through its appearance before estimates hearings. The Clerk and other officers appeared at estimates hearings of the Finance and Public Administration Legislation Committee during each round of Senate estimates and also provided responses to five estimates questions on notice, which were published on that committee's web pages. These activities provide an important accountability mechanism by which senators may test advice provided by departmental officers and evaluate the department's performance in a public forum. The Appropriations, Staffing and Security Committee also has a specific role in relation to the department's appropriations as well as matters concerning the department's structure, staffing and ICT and security arrangements. Reports on the department's financial performance were provided to the

President of the Senate and the Appropriations, Staffing and Security Committee, as was the annual report of the department's Audit Committee. Regular reports on other departmental matters are also provided to the President.

ASSESSMENT

All known governance obligations are met



As the accountable authority, the Clerk complied with all known public governance and accountability obligations, including in relation to the matters certified in this report.

The department's services are enabled by its governance and accountability arrangements. These facilitate the department's work and provide assurance to the Clerk, as its accountable authority, in fulfilling accountability obligations to the Senate, under the *Parliamentary Service Act 1999* and under the *Public Governance, Performance and Accountability Act 2013*.

The department's Audit Committee provides independent advice to the Clerk. The Clerk used this advice in meeting his responsibilities under the *Public Governance, Performance and Accountability Act 2013*. In line with its charter, the committee reviewed and provided advice on the appropriateness of the department's financial reporting, performance reporting, risk management and system of internal controls; and provided advice that appropriate systems and practices were in place to support the department's compliance and reporting obligations.¹

The department's activities are also scrutinised by both an internal audit service provider and the Australian National Audit Office. These activities inform the work of the department's Audit Committee. Further details are set out in the Management and Accountability chapter.

The department also works within a strong ethical framework guided by the Parliamentary Service Values, Parliamentary Service Employment Principles and the Parliamentary Service Code of Conduct set out in the *Parliamentary Service Act 1999*.

Analysis

The department reports against the performance indicators contained in its portfolio budget statements, tabled in the Senate in May 2018, and those in its Corporate Plan for 2018–19. Those indicators have two dimensions, comprising an assessment of the demand for the department's services and an evaluation of the department's performance in delivering those services.

¹ Some reporting measures relating to legislative compliance and corporate performance will be reported as part of the department's compliance framework in future.

Factors influencing demand

A constant in the department's planning and reporting has been the recognition that much of the demand for its services shifts in line with levels of Senate legislative and committee activity. Demand is overwhelmingly driven by the requirements of senators, and the decisions and activities of the Senate and its committees. Each year, significant factors include:

- the political dynamics of the Senate
- the number of days and hours, and distribution, of its sittings
- the legislative workload of the Senate
- the number of committees on which senators serve, and
- the number and complexity of committee inquiries.

Each of these is in turn affected by the electoral cycle. 2018–19 was the third and final year of the 45th Parliament, and the Senate's large and diverse cross-bench continued to affect the level of demand for advice, and the character of advice and support required.


The Senate sat on 37 days, and the number of sitting days in the second half of the reporting period was far lower than average, even for the final stage of a parliamentary cycle, with five sitting days between January and June 2018.


During this time, which included the usual pre- and post-election period, each office of the department finalised the work and records of the 45th Parliament, undertook a range of projects to enhance the support provided by the department to the Senate and its committees, and prepared for the commencement of the 46th Parliament. The department also embarked on an extensive staff training program.


Committee activity levels were similar to the previous parliament. The need to support this activity saw commensurate levels of staff numbers in committee secretariats and other offices managed within the department's current appropriation.

Performance in delivering services

Evaluation of the department's performance is based upon the degree to which its services meet the requirements of the Senate and its committees, and senators, principally measured against criteria centred on:

 **accuracy**—frequently assessed by considering whether advice or documents were demonstrated to be inaccurate

 **timeliness**—particularly whether advice, documents or services were provided in time to meet the purpose for which they were sought

 **satisfaction of senators** (including committees of senators) with the advice, documents or other services provided—the assessment of which is considered further below.

The particular criteria which apply are described in the department's portfolio budget statements and in the performance summary tables for each office contained in this chapter.

Monitoring and assessing satisfaction

Much of the department's work involves contact with senators and their staff, presenting the most direct means of eliciting feedback about services and performance, and an avenue for addressing concerns as they are raised. As noted throughout this report, this direct feedback was positive across all service areas during the year, particularly in relation to core advisory, drafting and secretariat support roles. Senators' comments about the department and its staff, placed on the public record during Senate and committee proceedings, constitute another valuable source of performance information. These comments continued to be overwhelmingly positive during 2018–19. The department also monitors its performance through formal and informal channels, including letters, emails, phone calls, seminar evaluation forms and outputs from management information systems. Again these sources were generally positive. The direct accountability of the department to the Senate through its committees was noted, above, at page 17.

The department's program managers have adopted a formal process for recording and providing feedback to the Clerk to provide assurance for his certification of this statement. As noted above, this was the subject of a recent internal audit, which provided assurance of this process. The measures have also been provided to the department's Audit Committee, which has provided advice that the measures and these annual performance statements are appropriate.

The subsequent parts of this chapter report on the activities and performance of the department against the criteria contained in the departmental work plans.