

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*. These are subject to provisions of the *Fair Work Act 2009* and other legislation.

Management committees

The department's corporate governance mechanisms include two senior management committees, the Program Managers' Group and the Audit and Evaluation Committee, each chaired by the Deputy Clerk. These committees provide advice and support to the Clerk to ensure that statutory responsibilities for the management of the department are met.

The department's Senate Management Advisory Group provides advice and assistance to the Program Managers' Group. The department also retains a Workplace Consultative Committee, through which formal consultation on workplace relations occurs between the department and staff.

The role, membership and activities of these groups are described in figure 13.

The department also participates on a range of interdepartmental committees through which the parliamentary departments coordinate common and joint activities. Chief among these during 2012–13 have been the meetings of the heads of the four parliamentary departments; steering committees reviewing and implementing whole of parliament ICT arrangements; the long-standing Senior Management Co-ordination Group; and numerous boards managing joint projects. There has been a renewed focus on strategic partnerships across the parliamentary service in recent years, as reported in the Clerk's Review.

Figure 13 Management and advisory groups, 2012–13

Audit and Evaluation Committee	
Role	<p>Oversee:</p> <ul style="list-style-type: none"> • internal and external audits • administrative, operating and accounting controls • risk management <p>Supervise the annual internal audit program.</p> <p>Ensure best practice financial management and reporting, fraud control and business risk monitoring.</p>
Activities	<p>4 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"> • Parliamentary Education Office • business continuity plan • payments to shadow ministers <p>Prepared an annual report to the Clerk and to the Senate Appropriations and Staffing Committee</p>
Membership	<p>Program managers and an independent member</p> <p>Chaired by the Deputy Clerk</p> <p>Observers: Chief Finance and Information Technology Officer, representatives from the Australian National Audit Office and the department's internal audit service provider</p>
Program Managers' Group	
Role	<p>Coordinate corporate governance matters, including:</p> <ul style="list-style-type: none"> • human resource management • risk management and planning • financial planning • departmental service quality
Activities	<p>10 meetings</p> <p>Examined matters including:</p> <ul style="list-style-type: none"> • budget planning and reporting • business continuity plans • risk management • workforce planning • information technology issues • electronic record keeping • departmental projects

Membership	<p>Program managers.</p> <p>Chaired by the Deputy Clerk</p> <p>Other staff attend as required to advise on matters within particular programs</p>
Senate Management Advisory Group	
Role	<p>Discuss departmental proposals, policy initiatives and changes.</p> <p>Advise the Program Managers' Group on leadership and managerial matters, as requested and on the initiative of the advisory group</p>
Activities	<p>4 meetings</p> <p>Reviewed electronic record keeping (ERK) and made recommendations to program managers to implement ERK within the department</p> <p>Formed a Public Awareness Working Group and reported the groups findings to program managers</p>
Membership	<p>All departmental Parliamentary Executive Level 2 staff.</p> <p>Convenor elected annually by the group</p>
Workplace Consultative Committee	
Role	<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>
Activities	<p>2 meetings</p> <p>Provided advice and recommendations on:</p> <ul style="list-style-type: none"> • redrafted policies on work health and safety • attendance and leave • House Sitting and Committee Allowances • enterprise agreement implementation activities
Membership	<p>The Usher of the Black Rod, the Clerk Assistant (Committees), up to 12 elected staff representatives and union representatives.</p> <p>Chaired by the Usher of the Black Rod</p>

Corporate plan and work plans

A new departmental corporate plan was adopted in August 2012. Annual work plans and individual work objectives sitting underneath the corporate plan detail the tasks and expected performance results for each office

of the department. Regular work reports to the Clerk showed continued progress against the work plans during 2012–13. Planned outcomes are detailed in the department’s portfolio budget statements and performance results are contained in this report.

Fraud control and business risk management

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. These are reviewed on an annual basis to maintain their applicability and coverage.

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. 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. The framework for managing risk is revised regularly and made available to staff on the department’s intranet. Fraud control and risk management are standing items for meetings of the Audit and Evaluation Committee.

Ethical standards

The department upholds the Parliamentary Service Values and staff 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 and practices, many of which were revised during the reporting period in preparation for the commencement of amendments to the Act on 1 July 2013.

Social justice and equity

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

External scrutiny

The Senate Finance and Public Administration Legislation Committee and the Senate Standing Committee on Appropriations and Staffing provide forums in which senators and others may monitor the department's performance. Matters relating to the structure and functions of the parliamentary departments are also examined by the Appropriations and Staffing Committee.

Estimates hearings are an important accountability mechanism in which senators may test advice provided by departmental officers and evaluate the department's performance. The Clerk and officers of the department appeared before the Senate Finance and Public Administration Legislation Committee on 15 October 2012, 11 February 2013 and 27 May 2013. Matters considered included the departmental budget and staffing; rules for filming and photography at Parliament House; Freedom of Information requests; the interface between the work of a royal commission and Senate committee inquiries; and staff rotations.

The department's activities were also scrutinised by both an 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

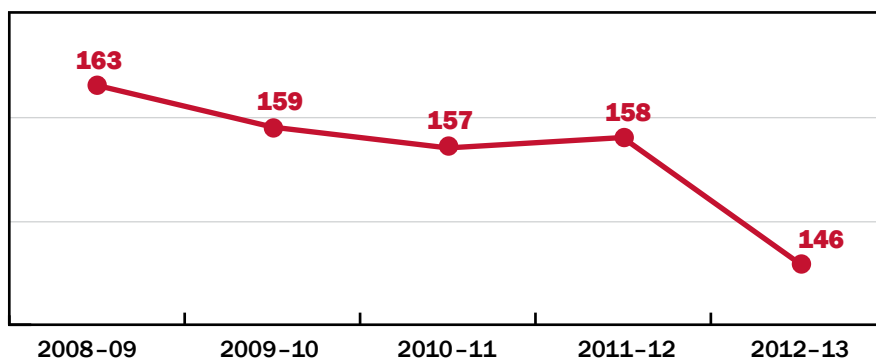
Staffing

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

Staffing levels decreased during the reporting period. Additional support was provided to the department through secondment arrangements with the Office of Parliamentary Counsel and the Attorney-General's Department.

Figure 14 shows that the full-time equivalent (FTE) staffing level for 2012–13 was 146, twelve less than for 2011–12. More staffing statistics, including a breakdown of the FTE staffing level by office, are provided in appendix 2.

Figure 14 Full-time equivalent staff numbers, 2008–09 to 2012–13



Workforce planning

The department moved away from its annual workforce planning model, which had been useful in managing a period involving turnover of senior staff in 2009 and 2010, and commenced development of a longer term, more strategic approach to the management of its staff.

Staffing rotations, the capping of the full-time equivalent number of staff for the department and a review of the effectiveness of the Parliament of Australia Graduate Program and the Working In the Senate program were significant workforce tasks carried out during the period.

Staff turnover

There were fewer staff separations in 2012–13 than in 2011–12, reflecting in part the smaller number of non-ongoing engagements during that period. Table 5 shows the reasons for separations.

Table 5 Reasons for separations from the department, 2010–11 to 2012–13

Reason	2010–11	2011–12	2012–13
Resignation	17	21	9
Retirement (age)	3	5	2
Retirement (other) or death	2	2	1

Return to home agency	6	2	2
End of non-ongoing employment	13	12	9
Transfer or promotion to another agency	11	13	12
Total	52	55	35

Senior executive remuneration

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.

Senior Executive Service (SES) staff are covered by a collective determination made under subsection 24(1) of the *Parliamentary Service Act 1999*. Consistent with the provisions of the department's enterprise agreement, SES staff received a three per cent pay increase in May 2013 in recognition of productivity improvements and individual performance outcomes. Staff salary ranges are set out in appendix 2.

Employment arrangements

Enterprise agreement

The department's commenced on 10 August 2012 and has a nominal expiry date of 30 June 2015. The negotiation process for this enterprise agreement resulted in a simpler, more streamlined agreement containing many of the model clauses required in Public Service enterprise agreements, including a cap on pay increases.

All non-SES staff are covered by the enterprise agreement. One employee has an Individual Flexibility Arrangement with the Clerk in accordance with clause 9 of the enterprise agreement. The main areas covered by the agreement are people and performance management, remuneration and allowances, hours of duty and overtime, and leave provisions. The agreement is supported by a number of human resource management policies and procedures.

In addition to salary, staff are entitled to a range of benefits including leave entitlements, study assistance, a Health and Wellbeing Subsidy, guaranteed minimum superannuation payments and a range of allowances.

In May 2013, the agreement delivered a three per cent salary increase to

staff. Staff salary ranges are set out in appendix 2.

Performance pay

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

Learning and development

Under the department's Learning and Development Framework supervisors and staff set professional development goals for a 12-month performance cycle, with a target of 21 hours of work-related learning activities for each full-time, ongoing employee. Training provided in-house includes a structured induction program for new staff, 'skills for the workplace' training and an extensive range of activities on skills and knowledge necessary to support the Parliament. Staff from across the department contributed to this in-house training, particularly by presenting parliament-specific training sessions. Many other types of development activities are encouraged, including attendance at activities provided by the other parliamentary departments, and opportunities for secondment, coaching and mentoring, and performance of higher classified duties are also recognised under the framework.

In the cycle which ended in April 2013, employees reported completing an average of 38 hours of learning and development activities.

During 2012-13, four employees received financial assistance or paid leave, or both, under the department's Studybank scheme, to help them undertake tertiary studies relevant to the department's objectives.

The department played a major role in the organisation of the 2013 Australia and New Zealand Association of Clerks-at-the-Table (ANZACATT) professional development seminar held at Parliament House in January 2013.

Work health and safety

A new policy on work health and safety was implemented and health and safety representatives were retrained as a result of the commencement of the *Work Health and Safety Act 2011*.

Initiatives and measures

Initiatives and measures undertaken in 2012–13 to create a safe and healthy working environment for the department's staff included:

- ergonomic assessments of workstations for all new staff and for other staff as required
- an annual work health and safety inspection program for all work areas
- an online material safety data sheet application for hazardous substances.

The department's Health and Safety Committee met four times during 2012–13. The committee is made up of elected health and safety representatives for each designated workgroup. The committee was consulted in relation to incident and hazard reports received by the department.

Claims, incidents and investigations

Comcare accepted one claim for compensation in respect of the department during 2012–13.

In 2012–13, there was one incident within the department which required notice to be given under section 38 of the *Work Health and Safety Act 2011*. There were no investigations or notices under sections 90, 191 or 195 of the *Work Health and Safety Act 2011*.

Disability support

While the department is not subject to the Australian Public Service Commission reporting requirements in relation to disability action plans, the department continued to support the elimination of disability discrimination through various means. In particular, the department provided specific disability awareness training to staff during the period.

Management of financial resources

Policies and procedures for conducting tenders, selecting consultants, contracting, and approving expenditure are set out in the Clerk's Instructions, which take into account the requirements of the

Financial Management and Accountability Act 1997 (the FMA Act), the Commonwealth Procurement Rules (the Rules) and Senate standing order 25(17), relating to approval of consultants to assist committees.

Purchasing

All goods and services were purchased in accordance with the FMA Act, the Rules and the Clerk's Instructions.

The most significant procurement activities during the financial year related to two joint projects with the Department of the House of Representatives to develop a new document production system for the two Houses and a booking system for committee rooms and other venues within Parliament House.

Assets management

The Black Rod's Office is responsible for the effective management of departmental assets in accordance with the Clerk's Instructions.

Consultants

The department engages consultants to provide specialist expertise when not available within the department, or where an independent assessment is desirable.

The department uses various selection processes to engage consultants. These may involve: open tender, selective tender, direct sourcing, a panel of recognised or pre-eminent experts, or consultants who have previously undertaken work for the department or are known to have the requisite skills.

In 2012–13, the department entered into five new consultancy contracts involving total actual expenditure during the year of \$93,291. There was one ongoing consultancy contract active during the 2012–13 year, involving total actual expenditure of \$8,040.

In accordance with the Senate order on departmental and agency contracts, details of the department's contracts valued at greater than \$100,000 are listed online, at www.aph.gov.au/senate/dept/contracts.

In addition, information on the value of contracts and consultancies is

available on the AusTender website www.tenders.gov.au.

Freedom of Information

Until 2012 it was widely accepted that the parliamentary departments were not covered by the *Freedom of Information Act 1982* (FOI Act). Nonetheless, the department had always observed the spirit of the FOI Act, where possible, and generally complied with the small number of requests received for information of an administrative nature.

During 2012–13, as a result of a revised legal interpretation, the FOI Act was treated as applying to the department. During the reporting period the department received a total of three FOI requests, which were handled in accordance with the FOI Act.

In December 2012, the Clerk contributed to a joint submission from three parliamentary departments to a review of FOI legislation conducted by Dr Allan Hawke AC.

The original position was restored at the end of the reporting period with the passage of the Parliamentary Service Amendment (Freedom of Information) Bill 2013. This is being viewed as an interim measure, pending the outcome of the review. In the meantime, the department will continue to comply with the spirit of the FOI Act in relation to administrative matters.

