

Annual performance statement



AUSTRALIAN SENATE

ANNUAL PERFORMANCE STATEMENT

As the accountable authority of the Department of the Senate, I present the department's annual performance statement for 2016–17, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013*.

In my opinion, this statement is based on properly maintained records, accurately reflects the department's performance, and complies with subsection 39(2) of the Act.

A handwritten signature in black ink, appearing to read 'R Pye'.

(Richard Pye)
Clerk of the Senate

12 October 2017

Figure 3 – 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.

OUTCOME 1

Advisory and administrative support services to enable the Senate and senators to fulfill their representative and legislative duties.

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
- Capability, governance and accountability.

ASSESSMENT

The department's activities enable the Senate and its committees to meet in accordance with their decisions – **target: secretariat support is provided for all meetings**

Senators (and others) have the advice and support they require to participate in meetings of the Senate and its committees – **targets: advice and support are consistently sound and timely; satisfaction of senators**

Senators are satisfied with the administrative advice and support that fall within the department's responsibilities
Accountability obligations to the Senate are met

Public governance and accountability obligations are met

Performance reporting framework

Overview

In 2016–17, 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. The department achieved this result against the challenging environment of the continued elevated demand for its services, particularly in assisting a very large number of committee inquiries, and providing support to senators drawn from the parties of government and opposition, as well as the largest cross-bench since Federation.

The department:

- Prepared for the successful opening of the 45th Parliament on 30 August 2016
- Provided a comprehensive induction program for new senators elected at the 2016 federal election so that they could perform their constitutional roles
- 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 and provided learning and development opportunities to maintain the department's capabilities
- delivered its services in a cost-effective manner and in accordance with accountability requirements.

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. The four parliamentary departments continued to co-operate across various fronts to advance a seamless model of support for the Parliament and parliamentarians, particularly in the areas of security, information communication technology, and the integration of the business systems that support the work of the Houses and their committees.

After one-off supplementation of \$3m, the department's financial result for the year was a deficit of \$0.5m. This result reflects the costs of the additional resources required to support high levels of committee activity, as well as adjustments to the department's leave liabilities. The deficit was funded through the department's reserves. The department's financial statements commence at page 71.

This performance statement records the department's results against the planned performance table in figure 3 (above), which is derived from its 2016–20 Corporate Plan and its PBS for 2016–17. The subsequent parts of this chapter report on the activities and performance of each office against the criteria contained in the departmental workplans.

This performance statement is based on records of feedback kept by departmental staff, surveys conducted by particular work areas and comments made by relevant groups and committees. An audit conducted by the department's internal auditors assessed how this feedback was collated and interpreted. This audit provided helpful suggestions to improve the processes in future reporting periods.

In summary, this data shows both a high level of demand for the department's services and advice, and satisfaction with what is provided. This is against a backdrop of a new Senate commencing in August 2016, a large cross-bench, and continued high levels of legislative and committee activity.

Results

Secretariat support for the Senate

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

Target: Secretariat support is provided for all meetings

This criterion was fully met during 2016–17 through two program components:

1. Secretariat support for the Senate

The department provided secretariat support for the Senate on each of its 48 sitting days.

During the sittings the Clerk, the Deputy Clerk and senior officers provided advice in the Senate to the President, temporary chairs and 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.

Formal and ceremonial support for sittings was provided by the Black Rod's Office, particularly in organising the opening of the 45th Parliament. While the ceremonial side of this event attracts the most attention, it is also an important day procedurally as the returned election writs are tabled, new senators take their seats, the President is elected and the Senate commences business.

The Table Office 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, and all 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 improvements to digital publishing processes 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 (particularly 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
- preparation of draft reports, and their finalisation for tabling.

The Committee Office experienced another sustained period of very high workload, supporting 16 legislation and references committees, four select committees and three joint committees undertaking between them, at one point, 71 separate inquiries. Secretariat staff in the Committee Office processed more than 9,200 submissions, arranged 299 public hearings (which heard from more than 7,143 witnesses) and 593 private meetings. The Senate made 140 references during the year and the office assisted in drafting 151 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 agreed 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 high workload this direct feedback indicated high levels of satisfaction. The department responded to concerns raised occasionally that, because of workload, secretariats could not always provide assistance with preparing dissenting reports or additional comments. Although where possible, this assistance was provided. The workload and performance of committee secretariats was also considered by the Chairs' Committee during the reporting period and considered to meet the needs of senators.

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

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

Targets: advice and support are sound and timely; satisfaction of senators

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 orally and instantaneously by the Clerk and other senior officers in the Senate, and by the Clerk Assistant (Committees) and committee secretaries and their staff during committee meetings. These officers also provide procedural advice to senators and their staff at other times, both orally 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.

Senators and other recipients of written advice continued to acknowledge its value, and it was invariably provided in time 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). Procedural advice and support for non-government senators is a particular responsibility of the Clerk Assistant (Procedure) and the Deputy Clerk. 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 were accurate, 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*, surveys of senators seeking advice and of other key stakeholders such as Whips, indicated high levels of satisfaction with both advice and the levels of administrative support provided.

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

The department continued its program of providing seminars, training programs and lectures; as well as publishing material on the role of the Senate and its committees within the parliamentary framework. A key achievement here was the successful delivery of an orientation program for new senators.

The department also administered a comprehensive education program to students visiting Parliament House from more than 1600 Australian schools as well as an outreach program to students in Victoria, Tasmania and the Northern Territory. Attendance levels, requests for training and educational programs and feedback collected from these sessions indicated high levels of satisfaction among those accessing this information. Continued demand for PEO services was complemented by formal and informal feedback which demonstrated high levels of satisfaction with these services.

Administrative advice and support for senators

Assessment: Senators are satisfied with the administrative advice and support that fall within the department's responsibilities

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.

Security matters continued to be a focus during the period as a range of physical security upgrades continued to be implemented at Parliament House. The Usher of the Black Rod provided security advice and support to the President, committees, senators and the department. The Black Rod and Deputy 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 into 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 administrative advice and support for senators provided by the department.

Governance and accountability

Assessment: Accountability obligations to the Senate are met

The department met its accountability obligations to the Senate during the year, particularly through the appearance of officers before estimates hearings and by answering estimates questions placed on notice.

Senate committees provide opportunities for senators and others to monitor the department's performance. The Clerk and other officers appear at estimates hearings of the Finance and Public Administration Legislation Committee during each round of Senate estimates, and also provided responses to 37 estimates questions, 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. Quarterly 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.

Assessment: All known public governance and accountability 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 assurance to the Clerk on its financial and reporting responsibilities, risk oversight and management, and systems of internal controls. The committee was reconstituted under a new charter in 2015–16, with increased independent membership, and during the reporting period the Clerk appointed

an external chair. In line with its charter, the committee reviewed 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.

In presenting the committee's annual report to the Clerk the chair observed that:

- the department is performing very well in an environment of increasing demands on the department's capability and capacity to support the Senate
- the department's financial statements were well prepared and accurate, and financial systems, controls and processes are strong
- key risks are clearly identified, assessed and monitored, with this year seeing further work undertaken to review and embed its risk management practices
- the department has robust compliance practices and strong results; and
- management engages with the committee in an open and constructive manner

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 2016, and those in its Corporate Plan for 2016–20. 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.

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. 2016–17 was the first 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.

Following the opening of the new Parliament, the Senate sat on 48 days and committee activity resumed levels seen in the previous parliament. The need to support this activity saw continued high levels of staff numbers in committee secretariats, which was funded by one-off supplementation in the department’s resourcing.

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 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 2016–17. 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 19.

Following the introduction of the Annual Performance Statement last year, program managers adopted a more formal process for recording and providing feedback to the Clerk to provide assurance for his certification of this statement. As previously mentioned this was the subject of an internal audit which has provided useful information to improve this process.

The following sections of this report describe the department’s operations and performance using the additional performance indicators for each office described in the 2016–17 PBS.