

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**BUDGET ESTIMATES 2013-2015**

Prime Minister and Cabinet Portfolio

**Department/Agency:** Office of the Commonwealth Ombudsman

**Outcome/Program:**

Outcome 1. Fair and accountable administrative action by Australian Government agencies by investigating complaints, reviewing administrative action and inspecting statutory compliance by law enforcement agencies.

**Topic:** Extensions

**Senator:** Senator Lundy

**Question reference number:** 300

**Type of question:** Written

**Date set by the committee for the return of answer:** 11 July 2014

**Number of pages:** 11

**Question:**

- (1) Since the 18 September 2013 how many non-ongoing contracts has your department/agency extended?
- (2) How many non-ongoing contract extensions did your department/agency submit the Public Service Commission for approval?
- (3) How many of these extensions were approved by the Australian Public Service Commission (APSC)?
- (4) For every approved extension please provide the following details:
  - a. the employee's age
  - b. their gender
  - c. a description of their position
  - d. their APS classification level
  - e. their wage
  - f. where they are located
  - g. their length of continuous employment at the APS
  - h. the length of the approved extension
  - i. the reason why the extension was submitted
  - j. the reason why the extension was approved by the APSC, and
  - k. please provide all relevant dates.
- (5) How many of these extensions were rejected by the APSC?

- (6) For every rejected extension please provide the following details:
- a. the employee's age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. where they were located
  - f. their length of continuous employment at the APS
  - g. the length of the extension sought by the department/agency
  - h. the reason why the extension was submitted
  - i. the reason why the extension was rejected by the APSC, and
  - j. please provide all relevant dates.
- (7) Since 18 September 2013, how many non-ongoing contracts have been extended by your department/agency without the APSC's approval?
- (8) For every unapproved extension please provide the following details:
- a. the employee's age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. their position's APS level classification
  - f. where they were located
  - g. their length of continuous employment at the APS
  - h. the length of the extension granted by the department/agency
  - i. the reason why the extension was granted
  - j. whether the extension was submitted to the APSC for approval and if not why the extension was not submitted for APSC approval
  - k. the reasons why the extension was granted without the APSC's approval, and
  - l. please provide all relevant dates.
- (9) Since the 18 September 2013 how many non-ongoing contracts have expired without extension?
- (10) For every non-ongoing contract that has expired without extension please provide the following details:
- a. the employee's age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. their position's APS level classification
  - f. where they were located
  - g. their length of continuous employment at the APS
  - h. the reason why the extension was not sought for their position, and
  - i. please provide all relevant dates.
- (11) Since the 18 September 2013 how many new employees have been engaged by your department/agency on non-ongoing contracts?
- (12) Since the 18 September 2013 how many new non-ongoing engagements were submitted to the APSC for approval?

- (13) How many of these new non-ongoing engagements were approved by the APSC?
- (14) For every approved new engagement of a non-ongoing employee please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. where their position is located
  - f. their position's APS level classification
  - g. the length of their non-ongoing contract
  - h. whether their position was advertised externally
  - i. the reason for engaging this new employee
  - j. the reason given by the APSC for approving this engagement, and
  - k. please provide all relevant dates.
- (15) How many of these new non-ongoing employee applications were rejected by the Public Service Commission?
- (16) For every rejected new engagement of a non-ongoing employee please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. where their position is located
  - e. their wage
  - f. their position's APS level classification
  - g. the length of their non-ongoing contract
  - h. whether their position was advertised externally
  - i. the reason for engaging this new employee
  - j. the reason given by the APSC for rejecting this engagement, and
  - k. please provide all relevant dates
- (17) Since 18 September 2013, how many new employees have been engaged on non-ongoing contracts without the approval of the Public Service Commission?
- (18) For every unapproved new engagement of a non-ongoing employee please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. where their position is located
  - f. their position's APS level classification
  - g. the length of their non-ongoing contract
  - h. whether their position was advertised externally
  - i. the reason for engaging this new employee
  - j. the reason for engaging this employee without the APSC's approval, and
  - k. please provide all relevant dates

- (19) Since the 18 September 2013 how many new employees have been engaged by your department/agency on ongoing contracts?
- (20) Since the 18 September 2013 how many new ongoing engagements were submitted to the Public Service Commission for approval?
- (21) How many of these new ongoing engagements were approved by the Public Service Commission?
- (22) For every approved new engagement of an ongoing employee please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. their wage
  - e. where their position is located
  - f. their position's APS level classification
  - g. the length of their ongoing contract
  - h. whether their position was advertised externally
  - i. the reason for engaging this new employee
  - j. the reason provided by APSC for approving this engagement, and
  - k. please provide all relevant dates.
- (23) How many of these new ongoing employee applications were rejected by the Public Service Commission?
- (24) For every new ongoing engagement rejected by the Public Service Commission please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. where their position is located
  - e. their wage
  - f. their position's APS level classification
  - g. the length of their ongoing contract
  - h. whether their position was advertised externally
  - i. the reason for engaging this new employee
  - j. the reason provided by APSC for approving this engagement, and
  - k. please provide all relevant dates.
- (25) How many new employees have been engaged on ongoing contracts without the approval of the Public Service Commission?
- (26) For every ongoing employee engaged without the Public Service Commission's approval please provide the following details:
- a. their age
  - b. their gender
  - c. a description of their position
  - d. where their position is located
  - e. their wage

- f. their position's APS level classification
- g. the length of their ongoing contract
- h. whether their position was advertised externally
- i. the reason for engaging this new employee
- j. the reason for engaging this employee without the APSC permission, and
- k. please provide all relevant dates.

**Answer:**

- (1) From 18 September 2013 to 31 May 2014 the Office has extended seven non-ongoing contracts.
- (2) The Office was not required to submit any non-ongoing contract extensions to the Public Service Commission for approval.
- (3) Not applicable
- (4) Not applicable
- (5) Not applicable
- (6) Not applicable
- (7) From 18 September 2013 to 31 May 2014 the Office has extended seven non-ongoing contracts without requiring APSC approval.
- (8) The seven extensions were not submitted to or approved by the APSC as there is no requirement to seek APSC approval for the extension of contracts for non-ongoing employees in these circumstances.

Extensions 1 to 6 were for employees employed in the Public Contact Teams (PCT) as Public Contact Officers. All of these extensions were granted as there was a continuing need to fill the roles due several staff being on long term leave/secondment and the Office finalising its budget position before determining whether it is in a position to fill a number of vacancies on an ongoing basis.

	Extension Number					
	1	2	3	4	5	6
a.	24	25	23	23	24	31
b.	F	F	F	F	F	F
c.	Refer above					
d.	\$55,796	\$55,796	\$62,186	\$55,796	\$62,186	\$55,796
e.	APS 3	APS 3	APS 4	APS 3	APS 4	APS 3
f.	ACT	SA	ACT	SA	ACT	SA
g.	28/10/13	28/10/13	19/11/13	25/11/13	3/2/14	1/5/13
h.	5 months	5 months	6 months	6 months	2 months	6 months
i.	Refer above					
j.	Refer above					
k.	Refer above					
l.	Refer g and	Refer g and h	Refer g and	Refer g and h	Refer g and	Refer g and

	h and current contract ends 27/10/14	and current contract ends 27/10/14	h and current contract ends 18/11/14	and current contract ends 24/11/14	h and last contract ended 30/6/14	h and last contract ended 30/4/14
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Extension Number	
	7
a.	23
b.	F
c.	Report Drafter - analyse and assess information provided by the Department of Immigration and Border Protection on long-term immigration detainees and draft appropriate reports.
d.	\$62,186
e.	APS 4
f.	ACT
g.	4/11/13
h.	7 months
i.	Operational requirement
j.	Refer above
k.	Refer above
l.	Refer to g and h

(9) From 18 September 2013 to 31 May 2014 eight non-ongoing contracts have expired without extension.

(10) Relevant information in relation to the eight non-ongoing contracts that expired without extension is provided in the following tables.

Non-ongoing Contract Number			
	1	2	3
a.	63	63	50
b.	F	M	M
c.	Provide mentoring, training and support to staff in the Intake Screening Unit in the Ombudsman Commission of Papua New Guinea through the introduction of a toll free phone number including revising the existing guidelines.	Provide mentoring, training and support to staff from the Ombudsman Republik Indonesia.	Conduct legislative reform activity under our Ombudsman Commission of Papua New Guinea twinning program in Port Moresby.
d.	\$74,914	\$126,743	\$111,820
e.	APS 6	EL 2	EL 2
f.	ACT	ACT	ACT
g.	14/10/12 – 13/10/13	15/11/12 – 24/12/13	8/3/13 – 31/12/13
h.	Casual contract - completed project	Casual contract – completed project	Casual contract – completed project
i.	Refer to g		

Non-ongoing Contract Number
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	<b>4</b>	<b>5</b>	<b>6</b>
<b>a.</b>	54	30	69
<b>b.</b>	M	F	M
<b>c.</b>	Provide communication (internal and external) advice and support to the Executive as required.	Draft the Immigration Detention Inspection Methodology.	Develop a comprehensive written action plan to address the identified future management options of the Ombudsman's physical records including storage, cataloguing, sentencing, disposal and retention over a three year period.
<b>d.</b>	\$103,702	\$74,914	\$103,702
<b>e.</b>	EL 1	APS 6	EL 1
<b>f.</b>	ACT	ACT	ACT
<b>g.</b>	28/1/14 – 26/3/14	17/2/14 – 16/5/14	2/9/13 – 15/11/13
<b>h.</b>	Became ongoing employee after winning gazetted position	Completed project	Completed project
<b>i.</b>	Refer to g		

<b>Non-ongoing Contract Number</b>		
	<b>7</b>	<b>8</b>
<b>a.</b>	24	52
<b>b.</b>	F	F
<b>c.</b>	Assess and investigate complaints about the administrative actions and decisions of Australian Government agencies, postal operators and private education providers under provisions of the <i>Ombudsman Act 1976</i> and related legislation.	Work as member of the Public Interest Disclosure (PID) team to review and develop a range of materials the office is developing for the PID function, including standards, fact sheets, internet information, frequently asked questions, guidelines, media articles, presentations and training material.
<b>d.</b>	\$69,359	\$103,702
<b>e.</b>	APS 5	EL 1
<b>f.</b>	ACT	ACT
<b>g.</b>	6/10/13 – 10/2/14	27/8/13 – 29/11/13
<b>h.</b>	Contract due to cease 30/6/14, employee resigned early	Contract due to cease 26/2/14, employee resigned early
<b>i.</b>	Refer to g and h	

- (11) Since 18 September 2013 to 31 May 2014 the Office has engaged 17 employees on non-ongoing contracts.
- (12) From 18 September 2013 to 31 May 2014 the Office has not been required to submit any non-ongoing engagements to the APSC for approval.
- (13) Not applicable
- (14) Not applicable
- (15) Not applicable

- (16) Not applicable
- (17) Since 18 September 2013 to 31 May 2014 the Office has engaged 17 new employees on non-ongoing contracts without the approval of the Public Service Commission.
- (18) The engagement of the 17 non-ongoing employees were not submitted to or approved by the APSC as there is no requirement to seek APSC approval for the extension of contracts for non-ongoing employees in these circumstances.

Engagements 1 to 8 relate to employees employed in the Public Contact Teams (PCT) as Public Contact Officers. All of the engagements were required as there was a need to fill the roles and the Office was finalising its budget position before determining whether it is in a position to fill the vacancies on an ongoing basis.

Engagement Number								
	1	2	3	4	5	6	7	8
a.	24	25	23	23	24	22	35	31
b.	F	F	F	F	F	M	M	F
c.	Refer above							
d.	\$55,796	\$55,796	\$62,186	\$55,796	\$62,186	\$55,796	\$67,518	\$55,796
e.	ACT	SA	ACT	SA	ACT	SA	SA	SA
f.	APS 3	APS 3	APS 4	APS 3	APS 4	APS 3	APS 4	APS 3
g.	From 28/10/13 to 27/10/14	From 28/10/13 to 27/10/14	From 19/11/13 to 18/11/14	From 19/11/13 to 18/11/14	From 03/02/14 to 30/6/14	From 27/03/14 to 31/8/14	From 27/03/14 to 30/6/14	From 01/05/13 to 31/8/14
h.	No							
i.	Refer above							
j.	Refer above							
k.	Refer to g							

Engagement Number		
	9	10
a.	61	24
b.	F	F
c.	Investigations officer - Assess and investigate complaints about the administrative actions and decisions of Australian Government agencies, postal operators and private education providers under provisions of the <i>Ombudsman Act 1976</i> and related legislation.	
d.	\$73,547	\$69,359
e.	QLD	ACT
f.	APS 5	APS 5
g.	From 07/04/14 to 6/04/15	From 06/10/13 to 10/02/14
h.	No	Yes
i.	Non-ongoing employment used to provide flexibility with workforce planning and budget pressures.	To cover work due to peak workloads and staff shortages.
j.	Refer above	
k.	Refer to g	



<b>Engagement Number</b>	
<b>11</b>	
a.	23
b.	F
c.	Report Drafter - analyse and assess information provided by the Department of Immigration and Border Protection on long-term immigration detainees and draft appropriate reports.
d.	\$62,186
e.	ACT
f.	APS 4
g.	From 04/11/13 to 03/11/14
h.	No
i.	Non-ongoing employment used to provide flexibility with workforce planning and budget pressures.
j.	Refer above
k.	Refer to g

<b>Engagement Number</b>	
<b>12</b>	
a.	30
b.	F
c.	Draft the Immigration Detention Inspection Methodology.
d.	\$74,914
e.	ACT
f.	APS 6
g.	From 17/02/14 to 16/05/14
h.	No
i.	One off project and needed employee with specific skills.
j.	Refer above
k.	Refer to g

<b>Engagement Number</b>	
<b>13</b>	
a.	22
b.	M
c.	Provide IT service desk services and support.
d.	\$62,186
e.	ACT
f.	APS 4
g.	From 11/11/13 to 10/11/14
h.	Yes
i.	Non-ongoing employment used to provide flexibility with workforce planning and budget pressures.
j.	Refer above
k.	Refer to g

<b>Engagement Number</b>	
<b>14</b>	
a.	54
b.	M
c.	Provide communication (internal and external) advice and support to the Executive as required.
d.	\$103,702
e.	ACT

f.	EL 1
g.	From 28/01/14 to 26/03/14
h.	No
i.	Person engaged pending the permanent filling of the position.
j.	Refer above
k.	Refer to g

Engagement Number	
15	
a.	63
b.	M
c.	Provide mentoring, training and support to staff form the Ombudsman Republik Indonesia.
d.	\$126,743
e.	ACT
f.	EL 2
g.	From 26/02/14 to 25/02/15
h.	No
i.	Person has specialist skills and is engaged on a casual basis.
j.	Refer above
k.	Refer to g

Engagement Number	
16	
a.	59
b.	F
c.	Work as member of the Public Interest Disclosure (PID) team to review and develop a range of materials the office is developing for the PID function, including standards, fact sheets, internet information, frequently asked questions, guidelines, media articles, presentations and training material.
d.	\$103,702
e.	ACT
f.	EL 1
g.	From 17/03/14 to 30/06/14
h.	No
i.	Person engaged to undertake short term project. No Office employee available to undertake the task.
j.	Refer above
k.	Refer to g

Engagement Number	
17	
a.	39
b.	F
c.	Executive Assistant - Provide confidential, administrative and secretarial support to several Senior Assistant Ombudsman.
d.	\$67,518
e.	ACT
f.	APS 4
g.	From 12/05/14 to 24/12/14
h.	No
i.	Person engaged to provide short term support while assessment of whether position is required as an ongoing role is considered as part of structure and budget considerations.
j.	Refer above

k.

Refer to g

- (19) Since 18 September 2013 the Office has engaged one new ongoing employee.
- (20) Since 18 September 2013 the Office has not submitted any new ongoing engagements to the Public Service Commission for approval.
- (21) Not applicable
- (22) Not applicable
- (23) Not applicable
- (24) Not applicable
- (25) One new ongoing employee has been engaged without the approval of the Public Service Commission. The APSC gave approval for the Office to proceed with the selection process which led to the employee being selected for ongoing engagement.

(26)

a.	54
b.	Male
c.	Provide communication (internal and external) advice and support to the Executive as required.
d.	Canberra
e.	\$103,702
f.	Executive Level 1
g.	Ongoing employment
h.	The position was advertised in the APS Employment Gazette as open to all eligible members of the community on 15/10/2013.
i.	Critical position that was vacant
j.	There is no requirement to seek APSC approval for the engagement of ongoing employees in this circumstance.
k.	The vacancy was advertised in the Gazette prior to the Interim Arrangements for Recruitment in the APS coming into effect. APSC approval to proceeding with the selection process was provided on 10/02/2014. The employee was engaged with effect from 27/03/2014.