

## Chapter 2

# Employment issues in the Department of Parliamentary Services

### Introduction

2.1 This chapter canvasses issues relating to DPS as an employer including bullying and harassment, recruitment practices, workforce trends and occupational health and safety issues.

### Bullying and harassment

2.2 A very disturbing issue raised in submissions and evidence was the alleged extent of bullying and harassment within the Department of Parliamentary Services (DPS). Much of the evidence received by the committee was provided in confidential submissions with the majority of these submissions providing details of individual cases. The committee agreed that it was not in a position, nor would it be appropriate, to adjudicate on individual cases. This decision is in line with that of other Senate committees provided with information about individual cases concerning the matters under review. However, the consideration of the evidence contained in these submissions provides a picture of the employment culture within DPS.

2.3 The committee was also mindful that reliance on information in submissions from a limited number of individuals may distort its view of the level of bullying and harassment within DPS. Therefore, as part of its deliberations on this matter, the committee has examined a range of other material, in particular the survey of DPS staff carried out in late 2011 by ORIMA Research.

2.4 The committee also notes that some matters have been considered by Fair Work Australia. The committee has noted these matters but will not be commenting on their outcome.

### *Submitters to the inquiry*

2.5 The following evidence is taken from confidential submissions. As has already been stated, the committee will not be deciding on the merits of individual cases. Rather, the committee wishes to provide examples of the type of allegations received and the reported response from DPS to the allegations raised.

2.6 The allegations of bullying and harassment came from staff across the department and involved all levels of staff in DPS. Some submitters described individual incidents that they had experienced or had observed. Another witness, however, commented that the 'greater issue at DPS is the systematic and organised form of bullying that is entrenched rather than the individual incidents'.<sup>1</sup>

2.7 The following provides examples of the type of conduct provided in submissions:

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1 *Confidential submission.*

- use of the performance management system as a tool to bully staff with unsubstantiated claims and innuendo being used;
- accusations of not upholding parliamentary service values being made when employees questioned DPS management decisions;
- use of code of conduct investigations as a tool to bully staff;
- bullying occurred in private with staff members being refused requests for another staff member to attend;
- bullying occurred at staff meetings in the form of derogatory comments, for example, a staff member was told that they were 'too stupid to be given a task' and comments made which marginalised the professional input of staff;
- staff physically ostracised by being moved to accommodation away from their team and even to areas at a significant distance from the team;
- staff members were professionally ostracised, that is, staff were left out of, or not notified about, important meetings with team members or other areas of DPS when relevant work was being discussed;
- derogatory comments being made about staff in emails which were forwarded to a range of other staff members;
- bullying of members of staff recruitment panels to ensure that the 'favoured' candidate was selected; and
- allegations of sexual harassment with this type of behaviour being a source of humour among peers.

2.8 The effect of bullying conduct on individual staff members has been significant with one submitter describing the ostracism they had suffered as 'so insufferably lonely, unstimulating and hopeless that all I could do in response was to seek outside employment.'<sup>2</sup> Other submitters described health problems including depression and high blood pressure.

2.9 Submitters also put to the committee that many DPS employees chose to stay silent over bullying and harassment because of the conviction that no action would be taken by DPS in response to a complaint. In some cases it was alleged that the protagonists were promoted or provided with other 'rewards' rather than being sanctioned for their behaviour. Part of the reason for the lack of action, it was argued, was the perception that some of the perpetrators were the 'favourites' of executive officers. It was also alleged that there was a fear of witnesses reporting bullying becoming a victim themselves. Indeed, one submitter suggested that as a consequence of providing a witness statement to an incident, they had become a victim of bullying themselves and chose to leave the department when offered a redundancy.<sup>3</sup>

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2 *Confidential submission.*

3 *Confidential submission.*

2.10 Others submitters stated that victims decided to leave DPS rather than report bullying and risk further victimisation. One submitter stated that a colleague, who had chosen to leave the department after experiencing bullying, found the events so traumatic that it was many months before the person could walk back into Parliament House without feeling physically ill.<sup>4</sup>

2.11 When victims did decide to report bullying and harassment, it is alleged that no support was provided by DPS. One submitter stated that, following the report of instances of bullying, matters improved for a short time. However, the submitter found that they were then treated differently to other members of the section and, as a consequence, after a period of depression brought on by the employment situation, they had left DPS.<sup>5</sup>

2.12 It was also alleged that DPS management argued that there was no bullying in DPS, rather, there were 'performance management' issues stemming from the inability of staff to handle performance management initiatives or staff feeling left out, not properly consulted or not engaged with or part of a larger planning process. The submitter concluded that:

Whilst this may have an element of truth the reality for many is that DPS Executive have honed their skills in exclusion, isolation, denial of meaningful work and performance censure to a level that is bullying.<sup>6</sup>

### ***Community and Public Sector Union members***

2.13 The Community and Public Sector Union (CPSU) is the primary union covering the parliamentary departments, including DPS. The CPSU undertook a staff survey in June 2011 of all staff in DPS with the majority of the respondents being CPSU members. The outcome of the staff survey supported the evidence received by the committee in confidential submissions.

2.14 The CPSU advised that one third of DPS staff reported that they had experienced bullying. Hansard and the Information Access Branch accounted for half of the instances of bullying. Examples of bullying behaviour provided by staff included:

Being asked if I think it was the right workplace for me.

Being micro-managed and a total lack of loyalty and support from my supervisor.

Being overloaded with work was as a result of unrealistic deadlines and shortage of staff. As EL staff have lost flextime, it seems to be implicitly expected by senior management that you will work extra hours with little if any compensation.

Belittling in front of other staff; being expected to perform higher level tasks; information being withheld that is necessary to perform job.

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4 *Confidential submission.*

5 *Confidential submission.*

6 *Confidential submission.*

Colleagues of mine have been subject to high levels of bullying from a particular individual at SES level.

Management had my performance rating downgraded from highly effective to effective.

Not bullying, just "nit picking". Lack of support. No praise for the 100 things you do right, and "disapproval" for the one thing that might not be perfect. One co-worker belittles me in front of others, and criticises me, but with a smile.

Staff shortages put you in a position of doing more hours and seeming churlish if you need to refuse for personal reasons.

Refused carers leave to look after blind family member.<sup>7</sup>

2.15 The CPSU indicated that despite the high levels of bullying reported in the survey, only one quarter of the staff had reported the behaviour to supervisors or DPS human resource management. Reasons they did not make a report included:

Because nothing would happen even if you did report it.

I didn't want to make more trouble for myself.

I do not believe that I would be supported. I believe that I would be considered 'precious' and a trouble maker.

Ongoing negative culture of how people are treated rather than identifiable incidents.

Wasn't sure if it counted as bullying, I discussed it with my former supervisor. It's a bit tricky when it's a supervisor and director you are dealing with.

Who to? It would only cause more problems. I did speak to both the people concerned and they denied the behaviour, so you just have to "get on with it".<sup>8</sup>

2.16 The results of the survey also showed that just under one quarter of DPS staff indicated that they were not aware of the DPS bullying and harassment procedures. Two thirds of respondents to the survey considered that DPS did not provide adequate training on bullying and harassment. The CPSU recommended that DPS ensure that all staff are aware of current bullying and harassment guidelines.<sup>9</sup>

2.17 The CPSU believed that these responses indicated that many staff felt that bullying behaviour is not adequately addressed by DPS management with four in five staff not believing that DPS management placed importance on eliminating bullying and harassment from the workplace. The staff most likely to indicate this worked in Hansard and the Research Branch. The survey also found that only five per cent of staff thought that bullying complaints were dealt with quickly and appropriately, and

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7 CPSU, *Submission 16*, p. 10.

8 CPSU, *Submission 16*, pp 10–11.

9 CPSU, *Submission 16*, p. 11.

almost one quarter of DPS staff disagreed that quick and appropriate action was taken. Of those staff that did report bully, no one reported being satisfied with the response received.<sup>10</sup>

2.18 Mr Alistair Waters, Deputy National Secretary, CPSU, explained to the committee the complex nature of bullying and harassment:

Bullying and harassment in many ways goes much more to a workplace culture issue. Frankly, the union plays a role in this. Bullying and harassment is significantly less common in well-organised workplaces than it is in less well-organised workplaces. It is a matter of confidence on the part of workers. In my experience, what can be seen as bullying by one worker in one environment may well be water off a duck's back for a worker who is much more confident in their work environment, so experiences around bullying are far more complex. Clearly, based on the comments we have got back, there is a significant element of workload pressure that is feeding into bullying and harassment concerns here in DPS.<sup>11</sup>

2.19 Mr Waters commented that there is a lower level of confidence in the processes to deal with bullying and harassment in DPS than in other agencies and that 'the general culture of a workplace has a much bigger influence in terms of something like bullying and harassment and the reported numbers than you find with something like the selection process issue'. The CPSU also pointed to the lack of action on bullying and harassment by DPS with Mr Waters stating that 'I would not say that in our view that a clear and consistent message that staff are safe to report it and that issues will be taken seriously has been communicated consistently through the organisation'.<sup>12</sup>

2.20 The CPSU delegate for DPS, Mr Leo Vukosa, also commented that, while he has received increasing numbers of people contacting over the last 24 months seeking advice about bully and harassment, many staff had not wanted to take the matter further. Mr Vukosa stated that those contacting him did not want further action as they were afraid of the consequences particularly in a tight job market and as being labelled as a trouble maker or someone who speaks out too often. Mr Vukosa noted that through his intervention there was often a successful outcome. However, he noted:

There have been other instances where the manager has denied the bullying, I have taken it further up the chain to the executive and the executive, though very high on words, are very low on actions. In the majority of the cases this is true...

It has been common knowledge throughout DPS that people that do speak out if they see something wrong or because they feel they have been dealt with inappropriately find that their career paths are more or less stalled for the rest of their time here. So it is an ongoing issue. I am not sure if it is

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10 CPSU, *Submission 16*, p. 11.

11 Mr Alistair Waters, Deputy National Secretary, CPSU, *Committee Hansard*, 2 May 2012, p. 16.

12 Mr Alistair Waters, Deputy National Secretary, CPSU, *Committee Hansard*, 2 May 2012, p. 16.

something that is unique to DPS, but it definitely happens at DPS. I have seen it with my own eyes and heard it with my own ears.<sup>13</sup>

### ***Allegations of bullying raised during estimates hearings***

2.21 Allegations of bullying and culture of bullying and harassment in DPS have been raised at the committee's estimates hearings for a number of years. At the October 2010 Supplementary Estimates, questions were asked about the incidence of bullying and harassment as a committee member had received an email from a DPS employee who outlined incidents described as bullying. The employee alleged that no action had been taken by DPS to address the issue.<sup>14</sup>

2.22 The then Secretary of DPS, Mr Alan Thompson, stated that he was not aware of any instances of bullying being cited as a reason for leaving the department but commented that 'I would not want to pretend that there has never been any reports because we have had some feedback through our most recent staff survey'.<sup>15</sup> Ms Roxanne Missingham, the then Parliamentary Librarian who also had oversight of the human resource function at that time, concurred that no one had cited bullying as a reason for leaving the department.<sup>16</sup> In addition, Ms Missingham commented that 'during my period of being responsible for the human resource services, we have not had a bullying complaint come through [harassment officers] that has required investigation'.<sup>17</sup>

2.23 However, Ms Missingham added that DPS staff surveys sought information on bullying with the 2009 survey including an 'extensive range' of questions on bullying. Information from the Australian Public Service Commission indicated that there were some differences in the results of some branches in DPS and the public sector generally. DPS management had responded by asking each branch to emphasise appropriate behaviour and to ensure that staff reported such behaviour.<sup>18</sup>

2.24 Bullying and harassment was also canvassed in both the Supplementary and Additional Estimates 2010–11 with DPS responding to questions on notice regarding workplace bullying. DPS stated that from 2006–07 to 2010–11, 47 individuals had indicated in their exit interviews that they had experienced or observed workplace harassment, bullying or discrimination in the workplace. Of these, 21 individuals

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13 Mr Leo Vukosa, Delegate, CPSU, *Committee Hansard*, 2 May 2012, pp 16–17.

14 *Supplementary Estimates Hansard*, 18 October 2010, p. 21.

15 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 18 October 2010, p. 21.

16 Ms Roxanne Missingham, Parliamentary Librarian, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 18 October 2010, p. 22.

17 Ms Roxanne Missingham, Parliamentary Librarian, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 18 October 2010, p. 23.

18 Ms Roxanne Missingham, Parliamentary Librarian, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 18 October 2010, p. 22.

stated that the matter had been raised with the DPS Harassment Contact Officer, their supervisor, senior officer and/or DPS Employee Assistance Provider.<sup>19</sup>

**Table 2.1: Allegations of bullying from exit interviews raised before exit from DPS**

Year	Number of allegations raised in exit interviews
2006–07	6
2007–08	5
2008–09	5
2009–10	5
2010–11	0

*Source: Supplementary Estimates 2010–11, Answer to question on notice No. P8.*

2.25 DPS stated that 'every effort is made to follow up reports appropriately...the nature of the follow-up action takes into consideration whether the claim is about a supervisor, work colleague or subordinate'.<sup>20</sup>

2.26 DPS reported that five employees had indicated during exit interviews that workplace harassment/bullying was an influencing factor in their decision to leave DPS.<sup>21</sup> Of the five exit interviews in 2009–10 where allegations were made, two named individuals but DPS stated it was already aware of the circumstances prior to the exit interviews and added that 'there is no other indication of the individuals named being difficult to work with, and DPS has not moved them to other positions'.<sup>22</sup>

2.27 DPS provided the following additional information on reporting of bullying and harassment.

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19 Senate Finance and Public Administration Legislation Committee, Supplementary Estimates 2010–11, Department of Parliamentary Services, *Answers to question on notice No. P8.*

20 Senate Finance and Public Administration Legislation Committee, Supplementary Estimates 2010–11, Department of Parliamentary Services, *Answers to question on notice No. P8.*

21 Senate Finance and Public Administration Legislation Committee, Supplementary Estimates 2010–11, Department of Parliamentary Services, *Answers to question on notice No. P8.*

22 Senate Finance and Public Administration Legislation Committee, Additional Estimates 2010–11, Department of Parliamentary Services, *Answers to question on notice No. 29.*

**Table 2.2: Reporting of bullying and/or harassment**

When reported/recorded	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
During employment only						1*
At exit interview only <sup>23</sup>	1	4	1	3	16	5
At exit interview and said then that it had been previously reported <sup>24</sup>	3	6	5	5	5*	3

\*the instance in 2010–11 led to a formal investigation. Formal investigations were conducted for 2 of the 5 instances in 2009–10.

Source: *Senate Hansard*, 16 August 2011, *Question on notice No 682*, p. 4576.

2.28 Following media reports, bullying was canvassed at the 2011 Budget Estimates hearings.<sup>25</sup> Ms Missingham commented that apart from exit interviews, she was unaware of any allegations of bullying by ongoing staff in the previous financial year.<sup>26</sup> DPS was questioned whether any of the five employees who reported bullying during exit interviews were employed with Parliamentary Security Services (PSS). Ms Bronwyn Graham, then Assistant Secretary, Building Services Branch, reported that one of the five cases was a casual PSS officer. She described the actions taken:

That particular incident was reported to me immediately on receiving the exit interview survey. I know that that particular individual did not name anyone specifically—did not make any specific allegations of bullying. That individual's comments were very generic. I took that very seriously. I met with the director of HR at the time, and we decided on a course of action in terms of how we should deal with that. I think it is fair to say that we felt those claims of general bullying allegations were a result of that individual being performance managed.<sup>27</sup>

23 Questions in the Exit Interview questionnaire changed over time to include: in 2008 and 2009 whether harassment, bullying or discrimination had been experienced or observed; and in 2010 an additional question was asked if this had been observed.

24 Some reports of workplace harassment at Exit Interviews indicated that incidents had been previously reported to someone, but not all such reports could be confirmed as having been made.

25 Danielle Cronon, 'Parliament bullying claims logged', *Canberra Times*, 25 April 2011, p. 3.

26 Ms Roxanne Missingham, Parliamentary Librarian, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 30.

27 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 45

2.29 DPS provided the committee with information on the status of the eight matters raised at exit interviews in 2010–11. Where the behaviour had not been reported previously, one matter had been resolved, the staff member responsible was not identified in one case and in case where staff member was identified, the former officer did not wish to pursue the matter after being interviewed by HR staff. In relation to the three cases where it was indicated that the matters had been raised previously, none of the employees participated in a one-on-one interview with HR services. However, the appropriate work areas were alerted by HR services.<sup>28</sup>

2.30 Following the 2011 Budget Estimates, DPS provided the committee with information on the number of formal allegations of bullying from ongoing staff.

**Table 2.3: Allegations of bullying from ongoing staff**

Year	Number of allegations from ongoing staff
2008–09	0
2009–10	2
2010–11	1

Source: *Budget Estimates 2011–12, Answer to question on notice No. 22.*

### **Comcare audit**

2.31 As part of Comcare's 2011–12 Preventing Workplace Bullying Campaign, Comcare conducted an audit of DPS with the aim to improve the management of bullying and inappropriate workplace behaviour risks to health and safety in DPS. The audit was first examined at the 2012 Additional Estimates and again at the committee's May hearing. DPS indicated that Comcare had approached DPS to participate in the audit. In the first instance, the Comcare audit was to be restricted to a small number of staff. However, DPS sought Comcare's agreement for all staff to be surveyed.<sup>29</sup>

2.32 Comcare undertook a desktop audit of DPS systems and policies and an online survey:

It also included an online survey which was open to all DPS employees from 19 to 30 September. We received a report and the survey results on 23 December and that provided us with a number of pieces of information. We had 259 responses, which was around 30 per cent of the response rate. At that point in time our headcount was 835, so I am assuming that it would be around 30 per cent.<sup>30</sup>

28 Department of Parliamentary Services, *Answer to question on notice No. 8*, dated 15 May 2012.

29 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 37.

30 Ms Karen Sheppard, Department of Parliamentary Services, *Additional Estimates Hansard*, 13 February 2012, p. 48.

2.33 The Comcare audit found that, while a high proportion of staff indicated that they understood what type of behaviour constitutes bullying, only 31 per cent felt confident to speak up about inappropriate behaviour and less than half (47.8 per cent) agreed or strongly agreed that instances of bullying were taken seriously by management. Further, the survey noted that only 40.1 per cent agreed or strongly agreed that managers lead by example to prevent workplace bullying.<sup>31</sup> The audit made nine recommendations to improve OHS strategies and systems and DPS's prevention and education programs.<sup>32</sup>

2.34 Mr David Kenny, then Deputy Secretary, stated that DPS had accepted the recommendations and he had asked the HR director to develop an implementation plan for each of the recommendations and advise Comcare of that plan.<sup>33</sup> DPS also reported that all new employees are provided with a pamphlet outlining their responsibilities in relation to the Parliamentary Service and Code of Conduct, and DPS presents regular induction workshops for new employees covering the Parliamentary Service Values and Code of Conduct. In addition, all employees are encouraged to attend bullying and harassment awareness workshops.<sup>34</sup>

#### ***ORIMA staff survey***

2.35 In March 2012, the results of the 2011 DPS staff survey conducted by ORIMA Research were made available to DSP.<sup>35</sup> A total of 460 staff (of 817 sampled) took part in the survey, representing a response rate of 56 per cent. The survey included questions on bullying and harassment. The survey found that while the results were consistent with the 2009 DPS staff survey, overall levels of perceived bullying and/or harassment at DPS were above average for medium APS agencies.

2.36 Of concern was that around one in five staff (23 per cent) indicated that they had been subjected to bullying and/or harassment in the 12 months prior to the survey. This was a small increase from the 20 per cent recorded in the 2009 survey and above the 17 per cent for medium APS agencies. Just over one in ten staff (12 per cent) indicated that the bullying and/or harassment was still ongoing, while 11 per cent indicated that the bullying and/or harassment was no longer occurring. Those staff most likely to have experienced bullying and/or harassment were at the PSL 1–2 level and/or had a disability.<sup>36</sup>

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31 Comcare, *Bullying Prevention Audit Report, Department of Parliamentary Services*, September 2011, p. 19, Attachment B, p. 3.

32 Comcare, *Bullying Prevention Audit Report, Department of Parliamentary Services*, September 2011, pp 6–7.

33 Mr David Kenny, Secretary, Department of Parliamentary Services, *Additional Estimates Hansard*, 13 February 2012, p. 48.

34 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2011–12, Department of Parliamentary Services, *Answer to question on notice No. 23*.

35 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012.

36 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 76.

2.37 Around one-third (32 per cent) of staff indicated that they had witnessed bullying and/or harassment at DPS in the last 12 months, above the 27 per cent recorded in 2009.

2.38 The survey provided information on the nature of bullying and/or harassment with the most likely type of behaviour being psychological and based on perceived personality differences. The psychological nature of bullying and/or harassment was characterised by:

- humiliation through sarcasm, criticism or insults, sometimes in front of others;
- managerial style;
- persistent and unjustified criticism; and/or
- intimidating or aggressive body language.<sup>37</sup>

2.39 The survey found bullying and/or harassment also related to:

- perceived personality differences: 46 per cent;
- work performance: 41 per cent;
- managerial style: 34 per cent;
- employment status: 23 per cent;
- age: 11 per cent;
- gender: 5 per cent;
- race/ethnicity: 5 per cent;
- disability: 5 per cent;
- political opinion: 5 per cent
- religion: 2 per cent;
- sexual orientation: 2 per cent; and
- other: 18 per cent.<sup>38</sup>

2.40 Of those who reported bullying and/or harassment, half indicated that someone more senior to them (other than their supervisor) was responsible. This was followed by co-workers (41 per cent ) and direct supervisors (35 per cent).<sup>39</sup>

2.41 In relation to reporting of bullying and/or harassment, of those who had either witnessed or experienced bullying and/or harassment, 29 per cent indicated that they had reported it. This is below the findings of the 2009 survey (37 per cent) and the

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37 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 77.

38 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 78.

39 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 79.

40 per cent for medium APS agencies. The ORIMA Survey provided the main reasons for not reporting bullying and/or harassment as:

- being deterred by potential repercussions (52 per cent);
- leaving the decision to report the incident to the victim or it being reported by someone else (37 per cent);
- feeling their report would not be taken seriously (31 per cent); and/or
- feeling that they would not be believed or it being too hard to prove (23 per cent).<sup>40</sup>

2.42 When bullying and/or harassment was reported, staff indicated low levels of satisfaction with the way the report of the incident was handled. In 2011, 17 per cent of staff were satisfied, down from 27 per cent in 2009 and well below the 38 per cent for medium APS agencies.<sup>41</sup>

### ***Response by DPS***

2.43 The incidence of bullying and/or harassment in DPS was canvassed at the committee's May hearing. DPS outlined the response to the Comcare audit and stated that a management plan had been accepted by Comcare. In May 2012, Comcare inspectors had reported that progress had been made on implementing the plan and that there was a clear commitment from senior management to deal with workplace bullying and/or harassment.<sup>42</sup> In addition, compulsory staff workshops were being held.<sup>43</sup> Mr Kenny also indicated that DPS had recently initiated a code of conduct investigation as a result of bullying allegations. In relation to this case, Mr Kenny noted that a previous allegation had been made and the relevant manager had not acted on it.<sup>44</sup>

2.44 At the May 2011 Budget Estimates, Mr Thompson was questioned about bullying claims and responded that 'in any workplace there are always concerns about whether people feel as though they are being bullied'. He went on to state that he took the claims 'very seriously' and that he expected line managers, assisted by Human Resource officers, 'to thoroughly investigate any allegations of bullying'. Once the allegations are fully investigated, in cases where the allegation is proven, 'we would

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40 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 80.

41 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 80.

42 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 36.

43 Mr Russell Grove, Acting Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 31.

44 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 37; see also Department of Parliamentary Services, *Answer to question on notice No. 9*, dated 15 May 2012.

then initiate a process to ensure that the bullying ceased and action taken with regard to any officer who was deemed to have bullied'.<sup>45</sup>

2.45 Mr Thompson went on to state that in some cases 'the reality is that somebody believes they are being bullied when all that is happening is they are receiving fair and reasonable feedback about attendance or work performance or whatever'. He concluded that DPS 'every time seeks to be fair to the supervisor or the other party, whoever that is, in sorting out whether bullying has really occurred or whether it is a perception'.<sup>46</sup>

2.46 Ms Missingham outlined the process that would be used to investigate an allegation of bullying:

There is a Department of Parliamentary Services practices policy and all the staff are employed under our guidelines and policies and practices. The referral process is through HR to the relevant senior executive service member, which would normally be the person who is the branch head, which would normally be the assistant secretary of research or the assistant secretary of information access within the library if there was a reported allegation of bullying.<sup>47</sup>

2.47 In response to concerns raised about the robustness of DPS's processes, Mr Thompson stated:

I am concerned about all bullying. We have an active program to attempt to get people to come forward if they do believe they have been subject to bullying and we normally then manage that through our HR people as a disinterested third party to try to get to the bottom of the real situation for each one. If those cases we only learned about it at the end, I apologise for that, but nevertheless we do actively tried to prevent bullying and deal with it in the here and now rather than waiting until somebody leaves.<sup>48</sup>

2.48 At the committee's May hearing, the DPS response to bullying was explored. The then acting Secretary, Mr Russell Grove, commented on the results of the surveys and whether they pointed to a systemic problem in DPS:

A difficulty associated with surveys is that, while they are valuable, they need to be put into context. For example, only a bit over half, 56 per cent, responded to the survey. If you take into account the percentage of those who made comment about bullying, I think to draw the conclusion that

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45 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 29.

46 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 29.

47 Ms Roxanne Missingham, Parliamentary Librarian, *Budget Estimates Hansard*, 23 May 2011, p. 31.

48 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 30.

bullying is rife and extends right through DPS is an unfair conclusion to draw. That is not taking away from the importance of the issue.<sup>49</sup>

2.49 Mr Grove also commented on the difficulties of investigating bullying if the allegations were raised only raised during exit interviews rather than when it occurred:

If, for example, all the five people came from one branch and they had the same supervisor, clearly there is a message there. It may be that they are across the branches. While people report that at exit interview, some people say, 'I'm telling you this but I don't want you to do anything about it because I am going interstate and I am not available to talk about it anymore, but I thought you should know.' It is very difficult of course to investigate something like that. As we know, it is very easy to throw the bomb and then leave the arena. You have got someone who is being accused of bullying—and it may very well be true—but to verify the information and provide procedural fairness to everybody concerned, including the person who made the allegation and the person about whom the allegation is made, is quite a difficult thing to do in that circumstance.<sup>50</sup>

2.50 However, Mr Grove also stated that 'I think no one is denying that something does need to be done about this issue and positive steps taken'. He also noted that DPS was preparing an action plan 'so that people have the opportunity to speak up without being afraid'.<sup>51</sup> Mr Grove also conceded that the survey results were very concerning compared to other medium agencies in the APS.

2.51 The views put by DPS were not shared by the CPSU. Mr Waters argued that it was very concerning that only 29 per cent of employees who had experienced or witnessed bullying had reported it. Mr Waters indicated that DPS had written to the CPSU just prior to the committee's hearing indicating that 'DPS is committed to promoting a positive, inclusive and supportive workplace culture' and that a plan had been put in place after the Comcare audit.<sup>52</sup> However, Mr Waters commented:

Obviously there are always differences of opinion that do occur...We have probably found the department far more defensive when it comes to some of our concerns about HR practices and policies, be it in relation merit recruitment or the bullying and harassment issues. The department, as late as Monday, provided us with information indicating that they felt that they had been taking steps to promote an inclusive and supportive workplace culture which is free of bullying and harassment. Certainly the evidence that we have from our members is that they do not feel that to be the case.<sup>53</sup>

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49 Mr Russell Grove, Acting Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 31.

50 Mr Russell Grove, Acting Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 40.

51 Mr Russell Grove, Acting Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 35.

52 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 14.

53 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 13.

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**Committee comments**

2.52 The committee notes the comments made by the then acting Secretary, Mr Grove, that it was an unfair conclusion to make that bullying is rife and extends throughout DPS. However, the committee considers that there is overwhelming evidence to the contrary: confidential submissions detailed individual cases that point to long term, unacceptable behaviour and lack of action to remedy the situations; and, two all-staff surveys found a disturbing level of bullying and/or harassment and low degrees of confidence to report that behaviour.

2.53 The parliamentary service is often very demanding, with long hours and requirements to produce highly quality and accurate work within tight deadlines. The committee considers that it is unacceptable that staff working in this environment, indeed in any work environment, have also experienced bullying and/or harassment. This has taken the form of direct verbal abuse, sexual harassment and ostracism both physical and professional. The consequences of this behaviour have been hugely detrimental to individual staff with some pointing to episodes of depression and other illness. The committee is aware that some employees have chosen to leave DPS for other agencies rather than continue working in an unacceptable environment. Being forced to change workplaces can be very disruptive and may impact adversely on career progression. DPS has also suffered through the loss of experienced staff, time spent in recruiting new staff and the impact on the general morale of the department.

2.54 That bullying and harassment has been allowed to flourish for such a length of time within DPS points to ineffectual processes, lack of leadership and lack of commitment to stamping out this type of behaviour. There also appears to have been an element of denial in the responses received from the former management of DPS. The committee notes that both the 2009 and 2011 ORIMA staff surveys found worrying levels of bullying and/or harassment and lack of confidence in reporting this behaviour – only 29 per cent of relevant reported the behaviour in 2011 and 37 per cent in 2009. Yet, during estimates hearings it was stated that the DPS executive had only been aware of allegations of bullying raised in exit interviews. The committee finds that such evidence underscores its grave concerns about the role and performance of management in DPS in relation to staffing issues.

2.55 The committee welcomes the comments of the new Secretary, Ms Carol Mills, that bullying and harassment are not appropriate in any workplace and that a culture of respect will eradicate avenues for bullying. Ms Mills has also pointed to the need for leadership in behaviour and management style.<sup>54</sup> The committee is deeply concerned that effective action be taken immediately to redress the current unacceptable culture in DPS and will continue to monitor implementation of programs through estimates hearings.

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54 *Sunday Canberra Times*, 'New Parliamentary Services boss declares war on bullies', 29 April 2012.

## Recruitment and selection

2.56 A further issue identified in the ORIMA survey, and raised in submissions, related to DPS recruitment practices, principally that appointments were not based on merit but based on nepotism, favouritism and patronage.

2.57 The ORIMA survey found that staff at DPS held 'mixed' views about aspects of recruitment and selection. Just under half of staff (46 per cent) agreed that recruitment and selection policies and procedures were fair, while 27 per cent disagreed. The level of agreement in 2011 was lower than in 2009 (58 per cent) and lower than for similar APS agencies (51 per cent). Just under one-quarter of staff (23 per cent) agreed that DPS was good at selecting the right people for the right job, while 43 per cent of staff disagreed.<sup>55</sup>

2.58 The committee received similar information in confidential submissions which pointed to training and promotional/acting advantages for those staff who were seen to be in the 'inner circle' and/or favoured by DPS executive officers. In addition, the committee received evidence that selection panels were pressured into not interviewing all suitable candidates and recruiting favoured staff. There were also allegations that selection criteria were changed so that the most appropriately experienced applicant for the position was not successful and relatively inexperienced and unqualified applicants were appointed.<sup>56</sup>

2.59 The evidence in relation to recruiting received by the committee was supported by the findings of the CPSU all-staff survey. Two thirds of the respondents to the survey indicated that they did not believe that recruitment and promotion decisions within DPS are based on merit. Comments from DPS staff regarding current recruitment processes included:

Assistant Directors are often not trained editors, they do not stay in the positions for as long as they used to, and favouritism has been known to happen, resulting in inefficient (and sometimes incompetent) officers at that level.

Far too much nepotism.

I feel that duty statements/selection criteria are sometimes amended to suit a particular applicant.

I have witnessed nepotism, cronyism and discrimination by selection panels (or some members or chairs of panels) that constitute a major divergence from the APS principles of merit selection.

It depends on the panel. Some are good and honest, others misuse the interview process to intimidate less preferred candidates. Some follow riding orders with regards to certain people.

Jobs are for friends and family much of the time.

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55 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey*, 5 March 2012, p. 64.

56 *Confidential submissions*.

Lack of equitable treatment, accountability and transparency of recruitment process for internal applicants.

Nepotism, grooming of certain staff for promotions.

Some (a small minority) of recruitment decisions appear to have been made prior to commencing the recruitment process.

The decision of recruitment panels not being accepted by management.

There is obvious nepotism in the DPS and toadyism is one of the main games played by anybody seeking advancement.<sup>57</sup>

2.60 In speaking to the results of the survey, Mr Waters, CPSU, commented that the responses received were 'deeply concerning'. Mr Waters noted the legislated requirements for merit based selection process however, in relation to DPS, he commented:

I would have to say that I am struck by the number of conversations that I have with members in DPS where these issues are referred to casually in passing as the ordinary state of affairs. We as an organisation do not feel that this should be the ordinary state of affairs in any element of government service. It is not good for public administration. To have this strength of comment and, I would have to say from my personal experience, the regularity and general acceptance of that as the state of being is deeply concerning.<sup>58</sup>

2.61 Mr Waters went on to state that the comments from DPS staff were 'atypical' given the CPSU's engagement with other agencies across the public sector. While noting that staff selection processes by their very nature are contentious, Mr Waters stated that the 'situation in DPS goes significantly beyond that normal level of comment or contention' and further that:

There is that sense of normalcy where staff see the promotion and selection decision being made on a basis which they consider to be other than merit based. We make no comment about any particular selection process but, when you look at the general comments that are made, there is clearly a very strong perception among staff that the processes in DPS are not merit based. That is atypical of government service as a whole.<sup>59</sup>

2.62 The response by DPS executive to concerns about recruitment raised by the CPSU were seen as 'quite defensive about the processes that they apply and generally are along the lines that the processes are appropriate'.<sup>60</sup>

### *Nepotism*

2.63 The committee explored alleged cases of nepotism and favouritism during the committee's estimates hearings in 2010. In the first instance, a member of the

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57 CPSU, *Submission 16*, p. 12.

58 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 15.

59 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 15.

60 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 15.

committee reported receiving substantial amounts of anonymous information alleging nepotism in DPS. The then secretary of the department, Mr Thompson, was asked whether there is a cultural issue that would drive people to provide such information. Mr Thompson responded:

I am surprised about the word 'nepotism'. I have not heard that said about the Department of Parliamentary Services at all. It is a department that prides itself on adopting the merit principle in terms of appointments, so I am quite surprised.<sup>61</sup>

2.64 The allegations were outlined during the hearing. Prior to taking maternity leave, the personal assistant to the former Assistant Secretary of the Building Services Branch was transferred to a higher position in DPS security administration. It was alleged that this occurred so she could go on a higher rate of pay while on maternity leave. When the personal assistant commenced her maternity leave, her husband moved to the then vacant higher position in DPS security administration. The person who then filled the personal assistant position was a former bridesmaid of the personal assistant. The central issue was the allegation that the appointments were not merit based.<sup>62</sup>

2.65 Mr Kenny responded:

Yes, we would certainly like to have the names to investigate the process by which people were put into jobs. However, from what you have said, I am aware of a couple of the people and the jobs they were in, and the job of executive assistant to Karen Griffith was one of the jobs. There was a person in that job who was appointed on merit. Subsequently she was promoted into another job, as I understand from memory. That was as a result of an advertisement and a merit selection.<sup>63</sup>

2.66 Mr Kenny went on to state that the personal assistant's husband had filled the temporary personal assistant vacancy on a non-ongoing basis. Mr Kenny could not confirm whether the husband had then filled the high duties position.<sup>64</sup>

2.67 DPS set out the employment history of the two employees in an answer to a question on notice:

1. In response to the question of the Senator, we have set out the employment history of the two employees, as detailed in paragraphs 3 to 20 below. DPS trusts that this information responds to the questions raised by the Senator, but we have not been made privy to the detailed papers that he was reading from at the Estimates hearing.

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61 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 50.

62 *Budget Estimates Hansard*, 24 May 2010, pp 50–51.

63 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 51.

64 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 51.

2. Selection practices for the various positions were in accordance with DPS HR policies. It is noted that there have been multiple selection panels, with a wide variety of members.
3. Employee X was engaged as a non-ongoing Parliamentary Service Level (PSL) 4 employee in the DPS Executive office in an administrative role from 9 October 2006 to 22 December 2006.
4. An ongoing PSL 4 position, Executive Assistant to the Deputy Secretary, was advertised on 26 October 2006. Employee X was the successful candidate.
5. Employee X permanently transferred at PSL 4 to the position of Executive Assistant, Building Services Branch from 16 July 2007.
6. Employee X was transferred on Temporary Assignment of Duties (TAD) at the PSL 5 level in the Facilities section within Building Services Branch from 28 May 2008 to 27 May 2009.
7. Employee X undertook a short-term acting opportunity at the PSL 6 level through a TAD in the Security section within Building Services Branch from 7 July 2008 to 22 August 2008.
8. An ongoing PSL 5 position in the Facilities section was advertised on 12 June 2008. Employee X was the successful candidate.
9. Employee X took maternity leave from 22 September 2008 to 10 July 2009.
10. Employee X's position in the Facilities section was backfilled by another DPS officer on a TAD from 24 September 2008 to 10 July 2009.
11. The husband of Employee X (Employee Y) registered with the DPS Temporary Employment Register on 31 May 2008.
12. An internal process to fill a TAD for the position of Executive Assistant to the Assistant Secretary, Building Services Branch, was initially successful. However, the successful internal applicant withdrew from the TAD effective from 10 June 2008. Employee Y was engaged as a non-ongoing PSL 4 employee in the Executive Assistant, Building Services Branch position from 16 June 2008 to 15 June 2009.
13. Employee Y completed two non-ongoing PSL 5 TADs within the Hansard section in Content Management Branch from 23 February 2009 to 9 April 2009 and from 11 May to 15 May 2009.
14. Employee Y transferred to the non-ongoing PSL4 position Executive Assistant, Content Management Branch on 4 May 2009.
15. The Executive Assistant Content Management Branch was advertised as an ongoing PSL4 position on 9 June 2009.
16. Employee Y's initial engagement as a non-ongoing PSL 4 employee was extended from 16 June 2009 to 15 July 2009 as the selection process for the position he was occupying was still underway.
17. Employee Y resigned as of 3 July 2009 to take up ongoing employment at another Commonwealth agency.

18. The successful applicant for the Executive Assistant, Content Management Branch position subsequently declined the offer of employment. The position was readvertised on 11 September 2009, and the successful candidate's appointment was approved on 22 October 2009.
19. At no time did Employee Y hold any position in the Facilities section.
20. A PSL 4 position in the Facilities section was advertised on 17 January 2008. While the successful candidate did have a personal relationship with Employees X and Y, neither Employee X nor Y had any involvement in the selection process.<sup>65</sup>

2.68 A further allegation of nepotism was also raised in connection with the second of two security reviews<sup>66</sup> which resulted in staff cuts. DPS indicated that both reviews were conducted internally and not by a consultant.<sup>67</sup> Mr Bob Konig, a non-ongoing employee, was engaged to facilitate and lead the review work as a DPS employee within Building Services Branch. DPS indicated that Mr Konig was the husband of the then Chief Financial Officer (CFO), Ms Judy Konig. When asked about his security background, the committee was told that he did not have a background in the security area but he brought 'quite a significant body of experience in the public sector assisting organisations to do reviews'.<sup>68</sup>

2.69 Ms Graham explained the nature of the work in undertaking the security review as reviewing the structure and the way in which the administrative and support processes work together rather than security risk or how those risks were managed. Ms Graham also added:

But I reiterate that Bob Konig did not have any involvement in the review of the security roster. His work was solely based on the management structure.<sup>69</sup>

2.70 Mr Kenny supported this view and stated that 'the work that was done on the other two reviews related to how we run our rosters rather than how many people we need to have at certain points, although there was a bit of that aspect'. It was noted that Mr Konig did not have any security expertise and Mr Kenny concluded:

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65 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2010–11, Department of Parliamentary Services, *Answer to question on notice No. P8*.

66 The review of security conducted in 2008 was a structural review and a roster review. See Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, pp 52, 57.

67 Ms Bronwyn Graham, Department of Parliamentary Services, *Additional Estimates Hansard*, 8 February 2010, p. 15.

68 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, pp 53–54.

69 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 56.

He was providing advice on a number of things, including whether we had the right number of people for the size of the task. He was not a decision maker; he provided advice to DPS staff, who then took or did not take that advice. Secondly, the review was not a one-man or a one-person review. There were a lot of Bronwyn's people involved in various ways who were providing the security expertise.<sup>70</sup>

2.71 Mr Thompson also commented on this matter:

Can I go to 2008 when this review was proposed to be initiated. I can recall a discussion with Ms Griffith [former Assistant Secretary, Building Services Branch] about what she proposed in terms of the scope of the review. During that discussion, she put on the table that she had proposed to use somebody whom she had worked with and knew from her past working life who had excellent HR skills. She mentioned his name and made it clear to me that he had a personal connection into the department. But—and here is the important 'but' because I recall having this careful questioning with Ms Griffith about it—the overriding issue was to have somebody who understood all about issues such as rostering, call-outs and shift work, and Mr König passed those tests. I do not believe he has a background in security but he does have a background in managing significant workforces and in doing organisational reviews of significant workforces, including all of those attributes which are part and parcel of the PSS operations— shift work, rosters, call-outs. For those reasons, he was offered the role.<sup>71</sup>

2.72 In response to questions taken on notice about Mr König's appointment, DPS advised that:

1. In early 2008, with the resumption of normal Parliamentary business (after the late 2007 election), the Content Management Branch (CMB) was experiencing very heavy workloads. The CMB is responsible for Hansard and for the broadcasting of Chamber and Committee proceedings. In particular, the Assistant Secretary CMB, Ms Therese Lynch, wished to support the Directors in the Branch as they developed key performance indicators, contracts for external service providers, training needs and analysis, and induction programs for CMB staff.
2. Ms Lynch advised that she wished to provide support but avoid the high cost of using consultants. Instead she investigated the DPS temporary employment registers, but could not identify an appropriate candidate for the support role (which would have an intermittent workload). It was also not appropriate to second/transfer staff from (say) the DPS HR section because of their existing heavy workloads.
3. Ms Lynch then consulted experienced managers external to DPS who had been involved with similar tasks in the APS. Arising from this consultation, Mr Robert König was identified as having the appropriate

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70 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 55.

71 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 56.

skills. Mr Konig had previously been an SES-level officer with extensive public sector experience (especially with Austrade), but had since retired.

4. Mr Konig subsequently registered his name on the DPS temporary employment register. On 1 May 2008, Ms Lynch submitted to the DPS HR Section a Request to engage a non-ongoing employee (irregular/intermittent) form to employ Mr Konig. This was approved by the HR Director on 9 May 2008.
5. On 10 May 2008, Mr Konig accepted an offer of employment under paragraph 22(2) of the *Parliamentary Service Act 1999*. He was employed at the PEL2 level as a non-ongoing employee, on an irregular and intermittent basis.
6. The Assistant Secretary and CMB Directors were very pleased with the work done by Mr Konig and his achievements during his term of engagement.
7. In July 2008, the then Assistant Secretary Building Services Branch (BSB) required HR assistance to facilitate and advise on significant changes to her Branch. Again, she wished to avoid the high cost of consultants, and it was not feasible to appoint or second existing DPS HR staff because of their heavy existing workloads.
8. After consulting with colleagues, including Ms Lynch, the Assistant Secretary BSB approached Mr Konig to attend a discussion with her and two Directors to assess his suitability for the work required in BSB. Mr Konig accepted a second offer of employment, again at the PEL2 level, and again on a non-ongoing irregular and intermittent basis.
9. During his employment with BSB, Mr Konig conducted one-on-one and group discussions with security staff and provided advice on ways to improve and strengthen roles, responsibilities, staff development and performance management arrangements within the Security section. As a result of this work, the management and administrative structure was streamlined. Two Director positions were reduced down to one and the number of supervisory layers between the Director and operational staff was reduced.
10. When his contract with the department expired on 10 August 2009, Mr Konig accepted a new offer of employment to undertake a range of work on an irregular and intermittent basis within both CMB and BSB.
11. The department was aware that Mr Konig was the spouse of the Chief Finance Officer. However, Mr Konig's work within the department had no interaction at all with the CFO Branch, nor did any officer of the CFO Branch have any involvement in the decisions to employ him.
12. From time to time DPS needs to employ people with considerable experience in the public sector, usually to complete tasks within a relatively short time horizon, and/or tasks where in-house staff do not have the time or the skills. In general, DPS prefers to employ these officers as non-ongoing Parliamentary Service staff, rather than the more expensive approach of using consultants. Such employees will

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frequently be either retired public servants, or public servants who have left for various reasons, but are again interested in public sector work. The temporary employment register is an important part of this cost-effective system.<sup>72</sup>

2.73 Mr König was also engaged 'not just to help with security but also to help with other areas in the branch, including our facilities area'.<sup>73</sup> As part of Mr König's work for the Facilities section, a review of the Parliamentary Shop and the Health and Recreation Centre (HRC) were undertaken. As a result of this review, a revised structure was implemented on 1 July 2009 with one manager, the Retail Services Manager, for both the Parliamentary Shop and the HRC. The positions of Parliament Shop manager and HRC manager were abolished. DPS indicated that the staff in these former positions declined to apply for the new position.<sup>74</sup> The position was advertised and the person appointed was the son of the then CFO.<sup>75</sup>

2.74 Ms Graham responded outlining the process that was undertaken to fill the new position:

The process that was undertaken for that position, as with all other positions within the branch, was merit based process. The vacancy was advertised in the Australian Public Service Gazette in accordance with standard procedures. The panel that was comprised to evaluate applicants for that position included two people from the branch and an independent person from outside of the branch. Each of those panel members was a senior member of our staff at the parliamentary executive level—PEL1—or above. Might I add that in a situation such as this one where we are looking at appointing someone who has the same surname as another member of our staff we do ensure that the proper probity processes...<sup>76</sup>

2.75 DPS also provided further details in answer to a question on notice:

9. For the PSL6 Retail Services Manager, the selection committee comprised two senior officers from the Building Services Branch and one senior officer from the Projects Branch of DPS. These officers were aware that one of the candidates was related to the DPS Chief Finance Officer (CFO), but there was no consultation or discussions about the selection process with the CFO. The selection panel noted that short-listed candidates all had strong retail credentials, including the eventual appointee.

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72 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2010–11, Department of Parliamentary Services, *Answer to question on notice No. 6*.

73 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 54.

74 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2010–11, Department of Parliamentary Services, *Answer to question on notice No. P7 a & b*.

75 *Budget Estimates Hansard*, 24 May 2010, pp 58–59.

76 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 59.

10. The previous PSL5 Parliament Shop Manager and the previous PSL6 HRC Manager elected not to accept redundancy and requested support in redeployment. DPS supported both employees by funding their enrolment with the Australian Public Service Commission Careers Transition and Support Centre and payment of salaries whilst on short-term employment placements in other Commonwealth agencies. Both employees have permanently transferred from DPS, having obtained employment in other Commonwealth agencies.<sup>77</sup>

2.76 The Parliamentary Service Code of Conduct, paragraph (7) section 13 of the *Parliamentary Service Act 1999*, states that 'a Parliamentary Service employee must disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with Parliamentary Service employment'. In relation to compliance with this requirement, Mr Thompson stated:

Perhaps I can help you there. The CFO advised me that her son was going to be an applicant for a job. I took sufficient care to make sure that the selection panel was well and truly at arm's-length from anything to do with the CFO.<sup>78</sup>

2.77 Mr Thompson added:

There is an interesting problem in Canberra, and it happens to virtually every organisation, where you will find people related to other people inside organisations. In a town of this size that is just a reality. We have husbands and wives working here. We have husbands who work for us and wives who work for our licence holders and the like. It is inevitable in a town of this size. All we can do to treat all parties fairly is to ensure that we have a fair process, whether it is a job for a licence for an occupation here or whether it is to do with employing people, to make sure we have one that is well and truly arm's-length from the particular personalities and the particular families.<sup>79</sup>

2.78 As noted above, nepotism was specifically mentioned in responses by staff to the CPSU survey. Mr Waters, CPSU, commented in relation to nepotism, that 'as to the level and consistency of concern being expressed in DPS, from my personal experience I cannot think of another one in the APS or in the public sector'.<sup>80</sup>

### ***Committee comment***

2.79 The committee observes from the evidence it has received, that it is difficult to come to a firm judgement as to whether nepotism has or has not occurred in DPS selection processes. However, many employees believe that this has been the case. In

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77 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2010–11, Department of Parliamentary Services, *Answer to question on notice No. P7 a & b*.

78 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 60.

79 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 24 May 2010, p. 60.

80 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 16.

addition, evidence was received that favouritism and patronage also have played a part in selection processes. This view is supported by evidence from the CPSU.

2.80 The committee views this evidence very seriously: there is no place in recruitment processes for unethical behaviour; only the most suitable and qualified candidate must be appointed; and there must be no perception that selection processes are other than merit based.

### Leadership in DPS

2.81 Of particular concern to the committee was the apparent lack of leadership exhibited by the senior executives of DPS in relation to employment issues. As has already been noted, the committee considers that the long-term prevalence of bullying and/or harassment points to poor leadership. This was borne out by the results of the ORIMA survey where staff views of DPS senior executive performance were analysed.

2.82 The ORIMA survey noted that staff held mixed views about the performance of DPS Senior Executive (the then Secretary, the then Deputy Secretary and the then Parliamentary Librarian). Generally, however, DPS's results were less favourable than the average for medium APS agencies. The following table provides the results.

**Table 2.4: DPS Senior Executive performance (per cent agree/satisfied)<sup>81</sup>**

	DPS 2011	DPS 2009	APS 2011
Members of the Executive act in accordance with the Parliamentary Service Values and code of conduct	55%	57%	84%
Focus on achieving results and outcomes	54%	58%	
Communicate effectively with staff	46%	40%	38%
Manage DPS effectively	37%	35%	47%
Exemplify personal drive and integrity	36%	42%	
Demonstrate high quality leadership	35%	39%	51%
Provide clear and consistent guidance	31%	34%	

*Source: ORIMA Research, Department of Parliamentary Services, 2011 Staff Survey, 5 March 2012, p. 61.*

2.83 The ORIMA survey also provided information on the other tiers of leadership in DPS, namely Branch Assistant Secretaries, Directors and immediate supervisors. These groups were assessed more favourably than DPS Senior Executive. For example, Branch Assistant Secretaries were seen by 63 per cent of respondents as demonstrating personal drive and integrity, and Directors and immediate supervisors

81 There were some slight differences in wording in questions in the surveys, see the ORIMA survey for full explanation.

were seen as acting in accordance with the Parliamentary Service Values and Code of Conduct to a high degree (74 per cent and 77 per cent respectively).<sup>82</sup>

### **Other workforce issues**

2.84 The following canvasses other workforce issues raised in submissions including workload and hours of work; OH&S concerns and matters relating to Hansard and the Parliamentary Library.

#### ***Workload and hours of work***

2.85 The CPSU noted that the number of staff in DPS had decreased by nine per cent between 30 June 2008 and 30 June 2010. The CPSU reported that DPS staff are under increasing pressure due to a growing workload.

Two thirds of DPS staff indicated that their workload had increased in the last 12 months. When asked why their workload had increased, a common response across all areas of DPS was that the increased sitting hours and increased level of committee work were significant contributors.<sup>83</sup>

2.86 The CPSU added:

Overall DPS staff indicated that the increased demand for DPS services to support parliamentary business, without provision of substantive additional resources will lead to a reduction of the availability of qualified, well trained staff, and to a reduction of the quality of services provided by DPS.<sup>84</sup>

2.87 It is of concern that the CPSU reported that of the DPS staff who indicated that they work additional hours, over one third were not compensated for some, if not all of the additional hours that they completed.<sup>85</sup>

2.88 In Hansard, respondents to the CPSU survey commented on the reduced numbers of staff which had increased workload at the same time that the hours of sitting had increased. Respondents also stated that the increased use of outsourcing had increased the work of Hansard officers as these transcripts required further work when returned from often substandard outsourcers. It was also stated that there are fewer editors being employed and more sessional and casual typists/editors adding to the workload.<sup>86</sup>

2.89 The ORIMA survey also pointed to concerns about workload and resourcing levels. Less than half of staff (43 per cent) felt that their work area had adequate

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82 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey, 5 March 2012*, p. 68.

83 CPSU, *Submission 16*, p. 4.

84 CPSU, *Submission 16*, p. 4.

85 CPSU, *Submission 16*, p. 5.

86 CPSU, *Submission 16*, p. 5.

resources to meet their client service responsibilities and two in five staff (39 per cent) felt that the resources that they had were not adequate.<sup>87</sup>

### ***OH&S concerns***

2.90 The CPSU advised that around one third of DPS staff reported safety concerns in their workplace. These concerns came mainly from staff in Hansard, Broadcasting and Visitor Services. The CPSU added:

Similar safety concerns existed within each DPS branch. Staff in Broadcasting identified concerns regarding fatigue after working long hours, Hansard staff were primarily concerned around repetitive use injury, and Visitor Services concerned with physical safety when the Parliament is not sitting, particularly weekends. Staff working in the Research Branch were the most likely of any DPS area to feel safe or extremely safe in their workplace.<sup>88</sup>

2.91 The CPSU further reported that only two fifths of DPS staff with safety concerns said that they had reported them. The CPSU recommended that an Occupational Health and Safety Review be undertaken to look at:

- ways to decrease the incidence of workplace injury by staff working in Hansard; and
- safety plans for staff working in Visitor Services, particularly on weekends, and that as part of the review, consideration be given to increasing the security presence in APH on weekends.<sup>89</sup>

2.92 The higher rate of injury among Hansard staff was acknowledged by DPS at the May 2011 Budget estimates:

Within Hansard we had an OH&S review done a couple of years ago which identified significant deficiencies in a number of ways, noting that Hansard staff are very desk and keyboard intense in doing their work. Hansard is also one of the areas where we have higher than we would like—higher than we are comfortable with—levels of injury, so there is an issue of safety as well. That is the refurb work. As Alan said, the other furniture that we are buying is new furniture for new accommodation where previously there was nothing. We were involved in working with the chamber departments in establishing the style guide, the intention being that if we had a common approach to furniture it would be cheaper and sensible, but we may go to independent purchases.<sup>90</sup>

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87 ORIMA Research, *Department of Parliamentary Services, 2011 Staff Survey, 5 March 2012*, p. 4.

88 CPSU, *Submission 16*, p. 7.

89 CPSU, *Submission 16*, p. 8.

90 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 23 May 2011, p. 27.

2.93 At the next estimates hearing, while noting that DPS had sought to address concerns in Hansard, Mr Thompson commented that continued high workloads affected Hansard production and staff:

It would be fair to say that there are two significant workload things hitting both our broadcasting people and our Hansard people. On the one hand there is a very heavy committee workload on the Senate side. On the House of Reps side there have been greatly extended sittings as well. So delivering a good service to both chambers and the committees is proving to be quite a challenge at times. We have been meeting our deadlines for all chamber work but we are not always able to meet the deadlines and targets for committee work.<sup>91</sup>

2.94 DPS also indicated that Hansard services have been progressively revised in response to funding constraints, concerns about occupational overuse injuries and implementation of the new Hansard Production System (HPS).<sup>92</sup> DPS noted that the old system HPS was outdated and DPS expected some improvements in efficiencies for Hansard staff, including that it would be much easier to use.<sup>93</sup>

2.95 In May 2011, the new Hansard HPS was commissioned. The system includes a data-streaming capability and DPS reported that it is more flexible than the previous system and links directly to other parliamentary applications.<sup>94</sup> DPS commented that before the new system was fully implemented problems had been experienced with the old system which affected the delivery of committee transcripts. Ms Karen Greening stated:

Since we have implemented a new Hansard Production System we have had a few teething issues which have also impacted on our delivery of committee transcripts.<sup>95</sup>

2.96 The CPSU survey respondents also provided comments on the new HPS:

A new Hansard production system has been introduced. It is not working efficiently.

The new Hansard production system is mouse intensive and slow, which adds to stress in meeting turnaround times for chamber transcripts. Also, the new audio system (DART) is considerably inferior to the previous recording system and it takes longer to work out what people are saying,

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91 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 17 October 2011, p. 56.

92 Department of Parliamentary Services, *Answer to question on notice No. 6*, dated 19 January 2012, p. 31.

93 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 19 October 2009, p. 32.

94 Department of Parliamentary Services, *Annual Report 2010–11*, p. 16.

95 Ms Karen Greening, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 17 October 2011, p. 56.

with the result that it too adds to the stress and pressure of completing quotas for committee turns during the non-sitting periods.

More sitting hours and more committee work. Learning completely new software, along with its 'teething problems', has also increased work pressures.

New system installed within Hansard which has resulted in more work being assigned to our area.<sup>96</sup>

2.97 The committee also received other evidence which supported these comments. For example, one submitter stated that since the creation of DPS there had been a decrease in the number of Hansard editors and the mix of staff had changed with more part-time staff. Editors are required to work longer hours and as a consequence the number of work related injuries has increased. Of concern to the committee was the indication that injuries were suffered but not reported.<sup>97</sup>

### ***Parliamentary Library***

2.98 The CPSU reported that staff in the Research Branch identified that their workload had increased because of an increase in research requests, primarily related to an increase in Private Members Bills in the 43<sup>rd</sup> Parliament. Other workload increases identified by research staff were due to staff shortages, for example, one respondent stated 'when staff leave the branch, they are not being replaced as quickly as required, if the position is filled at all'. Issues included:

Staff shortages, effect of the minority government more private members bills, workforce profile - effect of retirements. Having to take on new areas of responsibility.

Staff reduction in the team, lost one staff member not replaced.

Fewer staff to spread the load.

Loss of staff.

No temporary assistance hired during budget period like has occurred in the past.

People leaving the branch and not being replaced, or being replaced slowly.<sup>98</sup>

2.99 Submissions were also received from Library staff which indicated concerns with staffing levels and staffing mix. One submitter commented that the Research Branch required at least 30 per cent more staff to meet the demands of inquiries and noted that 'the inadequacy of the current staff resource is especially evident during sitting periods when client demand for [Research Branch] is noticeably higher and the number of client requests involving quite short deadlines increases'.<sup>99</sup>

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96 CPSU, *Submission 16*, pp 4–5.

97 *Confidential submission*.

98 CPSU, *Submission 16*, p. 5.

99 Mr Peter Hicks, *Submission 9*, p. 5.

2.100 A further matter raised was the mix of staff in the Research Branch. It was argued that the reduction in the number of information specialists/librarians in the Research Branch had reduced the speciality service previously provided. In addition, some higher level positions had been converted into research assistant positions with the result that staff no longer had the same level of expertise and experience.<sup>100</sup>

2.101 It was submitted that the introduction of the research assistant classification was a poor decision as there has been a high turnover of staff at this level, there is a lack of a career advancement structure, and the subject areas covered by research assistants are large and it cannot be expected that assistants obtain high level expertise in all areas. It was concluded that 'the introduction of lower levels of staffing represents a major change from, and potential risk to, the previously highly successful approach'.<sup>101</sup>

### **Visitor Services**

2.102 The CPSU reported that staff working in Visitor Services have identified a reduction in staffing levels, combined with an increase in the number of schools and visitors, as the main reasons for increasing workload pressures on staff.<sup>102</sup> This was supported by other submitters who pointed to the reduction in permanent part-time guides and the increased use of casual guides who were offered little or only *ad hoc* training. Other areas of concern included the increase in the size of school groups that guides are required to take, insufficient numbers of guides to meet members' requests for tours and guided tours not being offered in foreign languages.<sup>103</sup>

2.103 Mr Kenny noted at the 2012 Budget Estimates that the configuration of Visitor Services had changed 'in terms of part-time, full-time and sessional'.<sup>104</sup> Ms Graham provided further information on the change:

Essentially we had too many staff working five days a week and we did not have the flexibility in that arrangement to meet the demands of the ever-increasing school numbers. Historically they have increased by about five per cent every year. In busy periods we had not enough staff, which was often during the week when schools were visiting, and on weekends we had too many staff, a surplus, because of the way the staffing model worked. The change we made was to reduce our regular part-time staff and create a very new pool of sessional staff. They are all Visitor Services officers, equally trained to provide tours. That second workforce, if you like, was

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100 Mr Peter Hicks, *Submission 9*, p. 6.

101 Mr Peter Hicks, *Submission 9*, p. 6.

102 CPSU, *Submission 16*, p. 5.

103 *Confidential submissions*.

104 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Budget Estimates Hansard*, 21 May 2012, p. 31.

created to allow us the flexibility to deal with the seasonal peaks that come with the visiting school program throughout the year.<sup>105</sup>

2.104 In relation to the numbers of Visitor Services staff, Ms Graham commented:

As to the numbers, regular part-time staff was 23 guides and we now have 14 of those working five days a week, 4½ hours each day. We have an entirely new pool of staff at the same level, with the same qualifications and skills, who work sessionally. We have 12 of those positions established. The net number was 23 and the new number is 26.<sup>106</sup>

2.105 DPS stated that the new roster commenced on 1 February 2012, prior to which extensive consultation had been undertaken including the offer for the Visitor Services officers to develop their own roster. Ms Graham noted that this had occurred and 'one of our visitor service officers developed a new roster and the staff preferred that one' to the one DPS had developed. DPS stated that it accepted requests from staff about their preferred roster arrangements. Ms Graham also stated 'there was a reduction in staff: seven staff took voluntary redundancies'.<sup>107</sup>

2.106 DPS provided information on the number of Visitor Services officers (Guides), excluding supervisor, administration and managerial staff as follows:

**Table 2.5: Number of Visitor Services officers, 2007–08 to 2011–12**

	2007–08	2008–09	2009–10	2010–11	2011–12
<b>Visitor Services officers</b>	32	26	28	26	26 <sup>108</sup>

Source: *Budget Estimates 2012–13, Answer to question on notice No. 46.*

2.107 DPS provided the following information on the number of tours undertaken:

**Table 2.6: Number of tours undertaken by Visitor Services officers 2004–05 to 2010–11**

	04–05	05–06	06–07	07–08	08–09	09–10	10–11
<b>Visitors</b>	878,553	880,046	889,115	867,220	863,552	866,000	820,783
<b>Public tours</b>	3,340	3,160	5,055	4,981	4,527	2,331	1,911
<b>Participants</b>	Data not available				101,236	78,114	73,196
<b>% on public tours</b>					12%	9%	9%

Source: *Budget Estimates 2012–13, Answer to question on notice No. 44.*

105 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 21 May 2012, p. 31.

106 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 21 May 2012, p. 31.

107 Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 21 May 2012, p. 33.

108 This is the actual number at 6 June 2012; all work part-time or sessional. Ms Bronwyn Graham, Department of Parliamentary Services, *Budget Estimates Hansard*, 21 May 2012, p. 32.

2.108 The average number of people on each tour has increased from 22 in 2008–09 to 38 in 2010–11.<sup>109</sup>

2.109 At the October 2012 Supplementary Estimates, Ms Mills indicated that she believed a comprehensive review of the approach taken to visitor services was needed. Ms Mills went on to state:

I think being a public access precinct is a really important function of this building. We are an important part of the network of Canberra cultural institutions in that regard. We also have the opportunity to display the operations of parliament to the community, both in physical and online terms.<sup>110</sup>

2.110 Ms Mills also indicated that some matters had already been reviewed including signage and the number of Floriade tours had been doubled so that more people could view the gardens. Work is also being undertaken with a number of the other cultural institutions, including the Museum of Australian Democracy, to look at ways to better harmonise exhibitions and other events. In addition, an app will be developed for visitors and, with the availability of public Wi-Fi in the public areas, there is an opportunity to change some of the experience for visitors undertaking self-guided tours. Ms Mills concluded by indicating that further work will be undertaken to provide tours for school visits which are linked more to the school curriculum and age appropriate.<sup>111</sup>

### **DPS workforce trends**

2.111 DPS provided a range of data to the committee on staffing and workforce issues.<sup>112</sup> The committee has used this information to identify workforce trends in DPS. In addition, the committee has noted the workforce data provided each year by the Australian Public Service Commissioner in his report on the state of the Australian Public Service (APS). This report provides data and information on changing workforce trends and workforce capability. The major sources of information for the State of the Service Report are two surveys; one of agencies and the other of employees.<sup>113</sup> The parliamentary departments do not take part in the State of the Service surveys.

2.112 The number of staff in DPS has declined from 929 staff in 2007–08 to 844 in 2010–11. One of the major workforce trends in DPS has been the growth in the number of non-ongoing staff (including casuals). Since 2007–08 the number of non-

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109 Senate Finance and Public Administration Legislation Committee, Budget Estimates 2012–13, Department of Parliamentary Services, *Answer to question on notice No. 47*.

110 Ms Carol Mills, Secretary, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 15 October 2012, p. 39.

111 Ms Carol Mills, Secretary, Department of Parliamentary Services, *Supplementary Estimates Hansard*, 15 October 2012, p. 39.

112 Department of Parliamentary Services, *Answers to questions on notice*, dated 19 January 2012.

113 Australian Public Service Commission, *State of the Service Report, State of the Service Series 2010–11*, November 2011, p. xiii.

ongoing staff has increased from 76 to 106 in 2010–11 and to 122 in 2011–12. With the overall decline in DPS's workforce, non-ongoing staff as a proportion of total employees has increased from 8.2 per cent to 12.5 per cent. In 2011–12 non-ongoing employees accounted for 14 per cent of total DPS employment.<sup>114</sup> Across the APS generally, non-ongoing employees accounted for 7.9 per cent of total employment.<sup>115</sup>

2.113 DPS suggested that the growth in the number of non-ongoing employees (which includes casuals) is 'largely related to the steady decline in purchasing power of the DPS operational budget since 2004'.<sup>116</sup> In addition, the branches which include Security and Visitor Services (Building Services Branch) and broadcasting and Hansard (Content Management Branch) have the highest proportion of non-ongoing employees, 22.7 per cent and 20.1 per cent respectively in 2010–11 and reflect the nature of the services provided.

2.114 The average length of service in DPS has fluctuated since 2007–08 from 7.03 years to 7.64 years in 2010–11. A marked decline in 2009–10 (6.79 years) reflected the structural change in the Building Services Branch where a number of separations occurred. The committee notes that the staff of the two Parliamentary Library Branches (Research Branch and Information Access Branch) have greater average lengths of service than other most other branches in DPS with Building Services Branch having the lowest (3.11 years in 2010–11).<sup>117</sup>

2.115 Many areas in DPS have undergone restructuring in recent years. This is reflected in the engagement and separation data. DPS provided the following:

**Table 2.7: Department of Parliamentary Services – engagements and separations**

Year	Engagement		Separation	
	Number	Per cent of ongoing staff	Number	Per cent of ongoing staff
2007–08	131	15.4%	94	11.0%
2008–09	43	5.2%	64	7.8%
2009–10	26	3.4%	100	13.2%
2010–11	34	4.6%	72	9.8%

*Source: Department of Parliamentary Services, Answer to question on notice No. 2(d), dated 19 January 2012, p. 12.*

114 Department of Parliamentary Services, *Answer to question on notice No. 2(b)*, dated 19 January 2012, p. 7; *Annual Report 2011–12*, p. 87.

115 Australian Public Service Commission, *State of the Service Report, State of the Service Series 2010–11*, November 2011, p. 88.

116 Department of Parliamentary Services, *Answer to question on notice No. 2(b)*, dated 19 January 2012, p. 7.

117 Department of Parliamentary Services, *Answer to question on notice No. 2(a)*, dated 19 January 2012, pp 6–7.

2.116 Changes in DPS activities are reflected in the engagement data. For example, increased project work resulted in a 36.2 per cent engagement rate in the Projects Branch in 2007–08.<sup>118</sup>

2.117 As has already been noted, a number of branches in DPS have been restructured with Building Services Branch experiencing high separation rates in 2009–10 (21.6%) and to a lesser extent in 2010–11 (10.4%). DPS noted that the roster review of 2008–09 is reflected in the 2009–10 data.<sup>119</sup> Other areas of high turnover were the Research Branch in the Library (just over 20 per cent in 2007–08 and 2008–09 and 18.8 per cent in 2010–11) as well as Corporate Services Branch (20.5 per cent in 2007–08, 24 per cent in 2009–10 and 13.5 per cent in 2010–11).<sup>120</sup>

2.118 The following table provides the reasons and numbers of staff separations and includes both ongoing and non-ongoing staff.

**Table 2.8: Number and type of separation**

	2007–08	2008–09	2009–10	2010–11
Death	1	1	2	
Employment terminated	2	4	1	
End temporary employment	31	33	18	23
End temporary transfer		5		2
Invalidity retirement	1		1	1
Permanent transfer	18	16	33	26
Promotion	6	1		
Resignation	42	33	42	38
Voluntary retirement	30	14	39	9
Involuntary retirement				2
Age retirement	10	7	11	17
<b>Totals</b>	<b>141</b>	<b>114</b>	<b>147</b>	<b>118</b>

*Source: Department of Parliamentary Services, Answer to question on notice No. 4, dated 19 January 2012, p. 29.*

2.119 The committee notes that the overall separation rate for the APS was 6.5 per cent in 2009–10 and 6.8 per cent in 2010–11.<sup>121</sup>

118 Department of Parliamentary Services, *Answer to question on notice Nos 2(d), 6*, dated 19 January 2012, pp 14, 31.

119 Department of Parliamentary Services, *Answer to question on notice No. 2(d)*, dated 19 January 2012, p. 13.

120 Department of Parliamentary Services, *Answer to question on notice No. 2(d)*, dated 19 January 2012, pp 13–14.

121 Australian Public Service Commission, *State of the Service Report, State of the Service Series 2010–11*, November 2011, p. 107.

2.120 As DPS has a high proportion of non-going employees, the number of separations of these employees is a relatively high proportion of total separations (fluctuating between 29 per cent and 12 per cent during the years 2007–08 to 2010–11). Like the APS generally, resignations account for a large proportion of separations (29.7 per cent in 2007–08 and 32.2 per cent in 2010–11) and are the most common separation type. The high proportion of voluntary retirements (up to 26.5 per cent of separations in 2009–10) reflects various restructures undertaken across the department.

2.121 The CPSU commented on staff turnover rates in DPS and noted that the ORIMA survey results indicated that work-life balance is seen as being significantly lower in DPS. Mr Waters, CPSU, commented that the ORIMA survey indicated that 60 per cent of staff were satisfied with their work-life balance while for other medium size APS agencies the satisfaction rate is 72 per cent. The committee also notes that the DPS satisfaction rate in 2009 was higher (69 per cent) than in 2011. Mr Waters stated:

We certainly do get feedback about the HR processes or lack thereof. Part of that comes from pressure on those middle managers, with that being reflected down. This has made the working environment less of a place where people want to work, and that has led to people making choices about moving elsewhere.<sup>122</sup>

2.122 Mr Vukosa, CPSU delegate, directly attributed the staff turnover to the efficiency dividend and the pressure put on staff to increase output with fewer resources:

Where before these used to be more tolerance of people whose work output was a little lower for a number of reasons than their colleague, these days that tolerance is much lower because of the lesser number of staff to perform those duties. They are asking a lot more of the staff for the same amount of money that they were getting in other agencies, where there was less pressure and less work. The staff here either stay for a long period of time, like me, or stay for a very short period of time. That is probably a true reflection of what has been happening in the last 15 years.<sup>123</sup>

2.123 The committee also requested information on personal leave taken by staff in DPS.<sup>124</sup> The average number of days of personal leave in DPS since 2008–09 has been around 13.5 days. This is above the APS where the median absence rate is 11.2 days for medium agencies.<sup>125</sup> The number of average personal leave days varied across branches with Building Services Branch and Information Access Branch having

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122 Mr Alistair Waters, Deputy National President, CPSU, *Committee Hansard*, 2 May 2012, p. 13.

123 Mr Leo Vukosa, CPSU delegate, *Committee Hansard*, 2 May 2012, p. 13.

124 Personal leave includes sick leave, carers leave, leave for unexpected emergency affecting the employee and leave in the event of the death of a member of the immediate family. Department of Parliamentary Services, *Answer to question on notice No. 2(g)*, dated 19 January 2012, p. 27.

125 Australian Public Service Commission, *State of the Service Report, State of the Service Series 2010–11*, November 2011, p. 49.

averages ranging up to 19.15 days and 18.77 days respectively in 2010–11. The Projects Branch and the Executive Office recorded the lowest average number of personal leave days.<sup>126</sup>

2.124 Mr Kenny responded to concerns about the high level of personal leave:

It has been a concern to us for quite some time, as in not just in the last 12 months. The concern comes in basically three forms. The first concern is that the more, let us call it, sick leave that people are taking may be a reflection of workplace stress. The second concern is that the more people take, possibly when it is not absolutely required, puts more stress on the rest of the organisation, so there is a different form of problem. The third one is to make sure in all our analysis that we do not confuse what many people would call a 'one-day sickie' with genuine illness. So if the stats are up because someone has been off for three months because they have had heart surgery or cancer treatment, then obviously we must be very careful not to let that paint the wrong picture.<sup>127</sup>

***Committee comments***

2.125 While DPS has noted potential causes for high separation rates, the committee remains concerned that it is also possible that staff are leaving as a result of the many problems identified during this inquiry. The committee is also concerned with the high incidence of personal leave and considers that the underlying reasons for this rate should be investigated further.

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126 Department of Parliamentary Services, *Answer to question on notice No. 2(g)*, dated 19 January 2012, p. 27.

127 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Committee Hansard*, 2 May 2012, p. 38.