

# STATE OF THE SECTOR REPORT

## 2013 - 2014

Report By:  
The Commissioner for Public Sector Employment  
Department of the Premier and Cabinet



Government of South Australia

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## INTRODUCTION

In accordance with section 21 of the *Public Sector Act 2009* (PS Act) I present the State of the Sector report for 2013-14.

The State of the Sector report outlines the work of the public sector in implementing the principles and objectives of the PS Act.

The financial year 2013-14 marks the last for my predecessor Warren McCann as Commissioner for Public Sector Employment and I would like to acknowledge his work and contribution.

On 1 July 2014 I was honoured to accept the position of Commissioner for Public Sector Employment. The Government established the new Office for the Public Sector in part to lead the public sector's implementation of the principles and objects of the PS Act.

The new office brings together the former Public Sector Workforce Relations unit with the former Office for Public Employment and Review, and the Office for Public Sector Renewal.

I would like to thank all the Departments of the South Australian Public Sector, each of which has contributed to the development of this report and, more importantly, to the ongoing improvement and renewal of the sector.



Erma Ranieri  
Commissioner for Public Sector Employment

## REPORTING FUNCTION OF THE COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT UNDER THE *PUBLIC SECTOR ACT 2009*

The Functions of the Commissioner for Public Sector Employment are defined in the PS Act. The Commissioner must, before 30 September each year, present a report to the Minister on matters relating to the Commissioner's functions in accordance with Section 21 of the PS Act.

The report must:

- relate to the financial year preceding the making of the report
- describe the extent of observance of the public sector principles in so far as they relate to public sector employment and measures taken by the Commissioner to promote the observance of those principles
- deal with any other matters stipulated by the regulations.

Regulation 11 of the PS Act requires that the Commissioner's annual report to the Minister include information with respect to the following:

- (a) the issuing by the Commissioner of:
  - variations or substitutions of the public sector code of conduct
  - public sector employment determinations
  - guidelines relating to public sector employment matters, during the financial year to which the report relates
- (b) the number of occasions on which public interest information has been disclosed to the Commissioner under the *Whistleblowers Protection Act 1993*.

## ROLE OF THE COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT

The statutory functions of the Commissioner for Public Sector Employment are defined within the PS Act. The Commissioner's role includes advancement of the objects and principles of the PS Act, and promotion of their observance within the public sector. Specifically the role of the Commissioner is to:

- (a) issue the public sector code of conduct
- (b) issue public sector employment determinations
- (c) monitor and report to the Minister on observance of the public sector principles, code of conduct and employment determinations
- (d) issue guidelines relating to public sector employment matters
- (e) provide advice on public sector employment matters at the request of public sector agencies or on the Commissioner's own initiative
- (f) provide advice on and conduct reviews of public sector employment or industrial relations matters as required by the Premier or the Minister or on the Commissioner's own initiative
- (g) investigate or assist in the investigation of matters in connection with public sector employees' conduct or discipline as required by the Premier or at the request of a public sector agency and investigate such matters on the Commissioner's own initiative (including on receipt of public interest information under the *Whistleblowers Protection Act 1993*).

## THE OFFICE OF PUBLIC EMPLOYMENT AND REVIEW

During 2013-14 the Commissioner for Public Sector Employment was supported by the Office of Public Employment and Review. The Office:

- continued to raise awareness of the *Code of Ethics for the South Australian Public Sector* to guide and support public sector employees in all of their professional activities, strengthen public confidence in the public sector and set out the standards of professional conduct expected of every public sector employee
- supported a modern, streamlined and high performing public sector through the development of Determinations and Guidelines to promote the objects and principles of the PS Act
- applied continuous improvement strategies to the Workforce Information Collection

systems to gain higher quality data collected from agencies across the public sector to strengthen transparency, accountability, performance measurement and evaluation and to inform high level evidence-based decision making in the public sector

- collected, analysed and reported quantitative and qualitative information in order to evaluate the management and performance of the sector against the public sector principles, and to meet the legislative reporting requirements of the Commissioner for Public Sector Employment
- supported future leadership and management capability of the public sector workforce through coordination of the Public Sector Management Program.

## CODE OF ETHICS

The *Code of Ethics for the South Australian Public Sector* (the Code) was issued on 1 February 2010. The Code embodies and builds upon the principles and seeks to advance the objects of the Act in the pursuit of good government in South Australia.

The Code is the Code of Conduct for the purposes of the PS Act and is built upon a foundation of five ethical values:

- democratic values
- service, respect, courtesy
- honesty and integrity
- accountability
- professional conduct standards.

The Code has the following objectives:

- to guide and support public sector employees in all of their professional activities
- to strengthen public confidence in the public sector
- to earn respect from citizens, government and employees for the public sector as an institution which is critical for good government in South Australia
- to set out the standards of professional conduct expected of every employee.

The Code was promoted by the Commissioner for Public Sector Employment at a number of speaking engagements throughout the reporting period, and the Office of Public Employment and Review supported both the operation of the Code and its objectives.

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### Investigations of breaches of the Code of Ethics

There were 416 investigations into breaches of the Code during the reporting period, a decrease of 7.1% since last year.

In 198 cases a breach was found, while in 52 cases no breach was found. 166 investigations were still to be finalised at the end of the reporting period.

## COMMISSIONER'S DETERMINATIONS AND GUIDELINES

### Determinations

Section 16 of the PS Act states that the Commissioner for Public Sector Employment may issue determinations relating to:

- employment in the Public Service
- public sector employment outside the Public Service that is declared by another Act or the regulations under the PS Act to be employment to which Section 16 of the PS Act applies.

A Commissioner's determination is relevant to the application of the provisions of Part 7 of the PS Act, which applies to employment. To support the operation of the PS Act the following determinations have been issued:

- Determination 1 – Merit Engagement, Assignment of Duties and Transfer of Non-Executive Employees;
- Determination 2 – Excess Employees – Income Maintenance;
- Determination 3.1 – Employment Conditions – Leave;
- Determination 3.2 – Employment Conditions – Remuneration – Allowances and Reimbursements;
- Determination 4 – Qualifications for Designated Whistleblower Contact Officers; and
- Determination 5 – Classification and Remuneration

### Guidelines

Pursuant to Section 14 of the PS Act the Commissioner for Public Sector Employment may issue guidelines relating to public sector employment matters.

During the reporting period, the Flexible Workplaces guideline and determination were issued to replace Standard 3.1 – Responsive and Safe Employment Conditions – Voluntary Flexible Working Arrangements.

The new guideline and determination are intended to assist in creating a more flexible, diverse and inclusive South Australian public sector workforce, to generate productivity, increase workforce participation and improve workforce culture. It is also intended that this guideline and determination will improve awareness and understanding of how to consistently implement flexible working arrangements in the South Australian public sector.

In addition, nearly all of the existing guidelines, listed below, were updated. Changes made to the documents encompassed mostly minor editorial and formatting amendments.

- Review of Employment Decisions
- Management of Unsatisfactory Performance (Including Misconduct)
- Gifts and Benefits

- Management of Excess Employees
- Power to Require Medical Examination
- Requests by Members of Parliament for Briefings
- Women in Leadership in the Public Sector
- Extent of Obligation

## WHISTLE BLOWER DISCLOSURES

Section 7 of the PS Act requires that each public sector agency ensures that a public sector employee (with qualifications determined by the Commissioner) is designated as a responsible officer for the agency for the purposes of the *Whistleblowers Protection Act 1993*.

Regulation 11 of the PS Act requires that the Commissioner's annual report to the Minister includes information with respect to the number of occasions on which public interest information has been disclosed to the Commissioner under the *Whistleblowers Protection Act 1993* during the financial year to which the report relates.

No such disclosures were made to the Commissioner for Public Sector Employment during the reporting period.

## MODERN PUBLIC SERVICE

In 2014 the Premier released *A Modern Public Service* – which is part of a series of policy initiatives from the Government of South Australia called *Building a Stronger South Australia*.

*A Modern Public Service* outlines strategies to build a modern and capable public sector that works together with citizens, business and communities to deliver results for South Australia. The policy aims to unlock the capacity, innovation and expertise within the public sector workforce, and the broader community, empowering employees to introduce their own ideas and solutions. This cultural change will allow more efficient and effective responses to the growing demands of the community.

## CHANGE@SOUTH AUSTRALIA

Change@SouthAustralia is a public sector-based program that aims to be a world leader in cross-sector collaboration and innovation. To do this, it focuses on building a values-based approach to cultural change across the sector and within its organisations.

During the reporting period Change@SouthAustralia was managed from within the Office for Public Sector Renewal. The Chief Executive of the Office for Public Sector Renewal led the program.

The Government and Senior Management Council have been active supporters of the program, and oversaw its development through participation in a steering group chaired by the Premier. The steering group received reports, information and strategic direction from a taskforce comprising representatives from portfolio departments.

The steering group and taskforce were supported by a secretariat comprised of public sector employees seconded from departments into Change@SouthAustralia.

There are a number of ongoing streams within the program that delivered specific outputs over 2013-14. These are detailed below.

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### Public Sector Values

The public sector values were developed in early 2013 by Government Ministers, departmental chief executives, and public sector employees.

In January 2014, the Office for Public Sector Renewal released *Values in Action: A guide to the South Australian public sector values*. The guide provides information on each of the values and how to implement them within organisations and teams. This guide is available to all South Australians on the Change@SouthAustralia website.

The values reflect both the traditional foundations and evolving nature of the public sector. Applied in conjunction with the *Code of Ethics for the South Australian Public Sector*, the values provide the basis for collaborative, innovative, and ethical action.

Chief executives are responsible for implementing the values as part of their collective performance agreement with the Government.

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### 90-day projects

The 90-day projects provide a platform for government to collaborate and innovate with communities and businesses on issues of key importance to the future of the State.

Organisations from across the state delivered 33 projects during the reporting period. Every department in the South Australian public sector was involved, as well as community members, industry groups, unions, businesses, schools, federal government departments, local government and indigenous communities.

The 90-day projects tackled a range of policy areas, including industry development, integrated regional service delivery, transitioning workers in the automotive manufacturing industry, red tape reduction, addressing chronic truancy from schools, and building innovation clusters for business.

Projects were nominated by organisations from across South Australia, with the majority coming from within the public sector.

The Office for Public Sector Renewal provided consultancy services to project teams free of charge. These services included change management advice, coaching, mediation, workshop facilitation, project design (including definition and scoping), project management advice, review and evaluation.

## Change Toolkit

The South Australian Government Change Toolkit was released during the reporting period. The online toolkit covers the core areas of change management, and is based on established leading practice from around the world.

The aim of the toolkit is to help public sector managers build skills in change management so that organisations are able to evolve and adapt with minimal interruption of service provision to the State. There are over 550 subscribers to the toolkit, representing all portfolio departments.

The toolkit was regularly applied in the 90-day projects, and the consultants were all trained in its use.

## Agency based change programs

It is essential that over time all public sector organisations build the capability to manage change as a core aspect of their organisational and people development programs.

During the reporting period a number of departments have either commenced, continued or developed change programs, including the Department of the Premier and Cabinet; the Department for Planning, Transport and Infrastructure; the Department for Manufacturing, Innovation, Trade, Resources and Energy; the Department for Primary Industry and Regions SA; and the Department for Communities and Social Inclusion.

## WORKFORCE DIVERSITY

### Aboriginal employment in the public sector

South Australia's Strategic Plan (SASP) Target 53 aims to increase the participation of Aboriginal people in the South Australian public sector, spread across all classifications and agencies, to 2% by 2014 and maintain or better those levels through to 2020.

The latest data to the end of June 2013 shows there was little change in the Aboriginal public sector participation rate over the previous year, with Aboriginal people making up approximately 1.7% of South Australian public sector employees. Since the baseline was set in 2004 the proportion of Aboriginal people in the South Australian public sector has increased from 1.1% to the current 1.7%.

While this target focuses on Aboriginal employees as a proportion of the public sector workforce, it is notable that the number of Aboriginal employees has nearly doubled between 2004 and 2013 from 930 to 1,735 employees.

While there has been an increase in the representation of Aboriginal people in the public sector, Aboriginal employees remain predominantly in lower level administrative positions. Approximately 1% of Aboriginal public sector employees are in middle manager, senior

manager and executive categories, which is significantly less than the 4.3% of non-Aboriginal employees in these classification categories.

Achievement of SASP Target 53 requires long term strategic attention to workforce development, recruitment and retention. State public sector agencies continue to develop and implement Aboriginal employment strategies that are directed at increasing the number of Aboriginal employees and the representation of Aboriginal people in managerial roles.

During the reporting period the Department of Further Education, Employment, Science and Technology (DFEEST) continued to support agencies to recruit and retain Aboriginal people into existing vacancies and advertise positions through the Aboriginal Employment Network.

In November 2012 the Aboriginal Employment Public Sector Cluster Advisory Group was formed and is chaired by the Commissioner for Public Sector Employment. During the reporting period, the Cluster supported a pre-employment proposal to recruit and offer administrative traineeships for up to 15 Aboriginal jobseekers. Participants in the pre-employment program undertook a combination of accredited and non-accredited training, including modules from the Certificate III in Business Administration and a week of work experience within a public sector agency. 15 participants commenced the course with 13 gaining employment as trainees.

#### Jobs4YouthSA

Jobs4YouthSA, which was an initiative of the *A Modern Public Service* policy, is a program that recruits young people into the public sector as trainees. The program, which began during the reporting period, has recruited 188 trainees in its first year. Of those trainees, 29% (55) have Aboriginal or Torres Strait Islander backgrounds. These trainees will continue with their training into the 2014-15 financial year.

Jobs4YouthSA trainees have full-time employment for 12 months in a South Australian public sector agency, study a nationally accredited Certificate III qualification and are offered ongoing employment at the entry-level (ASO1 or equivalent) if they successfully complete their traineeship.

#### Employees with a disability

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##### SASP Target 50

SASP Target 50 aims to increase by 10% the number of people with a disability employed in South Australia by 2020.

This SASP Target is broader than just the public sector workforce. The State Government assists people with a disability to participate in learning, training and work through a range of participation and equity programs.

To increase the number of people with a disability engaged in public sector employment, DFEEST fund Disability Works Australia to manage the Disability Employment Register. The

Register is an employment opportunity program established pursuant to Section 65 of the PS Act, which assists job ready persons on the Register to gain employment in the public sector. During the reporting period DFEEST provided \$100,000 to Disability Works to assist 50 people with a disability to gain employment in the public sector.

## Women

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### SASP Target 52

SASP Target 52 aims to have women comprising half of the public sector employees in the executive levels (including Chief Executives) by 2014 and maintain thereafter.

According to the latest data, as at June 2013 approximately 43.8% of executives were women. This compares to the baseline data of 28.2% female executives at June 2002 and represents a 15.6 percentage point increase over 10 years.

Women continue to be under represented in executive roles, including chief executive roles in the South Australian public sector. In contrast, women are over represented in administrative roles at lower classification levels. SASP Target 52 seeks to address the inequity of this profile.

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### SASP Target 30

SASP Target 30 aims to increase the number of women on all State Government boards and committees to 50% on average by 2014, and maintain thereafter by ensuring that 50% of women are appointed, on average, each quarter.

Women held 47.8% of positions on Government board and committees as of 1 June 2014. This is 14.2 percentage points above the target's baseline of 33.6% in January 2004.

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### SASP Target 31

SASP Target 31 aims to increase the number of women chairing State Government boards and committees to 50% by 2014.

At 30 June 2013, the latest data available at the time of writing, women held 41.6% of chair positions on Government boards and committees. This is 17.8 percentage points above the target's baseline of 23.8% at 1 April 2004.

The Office for Women is the lead agency for SASP targets 30 and 31. During the reporting period, the Office for Women undertook a number of initiatives towards achieving SASP Targets 30 and 31, including:

- targeted recruitment of high level women from diverse backgrounds to the Premier's Women's Directory

- promotion of the Premier's Women's Directory for use by the not-for-profit and private sectors
- providing scholarships for 25 women to attend board training
- speaking at regional women's leadership events and the Women in Super Group's luncheon.

## High Performance Framework

The High Performance Framework (HPF) is a continuous improvement and evaluation tool that provides public sector leaders and managers with a common framework of information and practice with which they can build and sustain integrated, high performance teams and systems. The role of the HPF is to:

- promote high levels of agency performance across the South Australian public sector
- ensure agencies are aligned to, and better placed to implement, the policy directions and strategic objectives of the government
- provide a practical approach to building partnerships across agencies to address performance challenges and opportunities.

Senior Management Council (SMC) committed to a schedule of implementation with agency chief executives required to oversee triennial reviews using the framework. Responsibility for embedding the HPF rests with chief executives and it informs their performance review assessments.

During the reporting period, the following agencies have worked with the HPF Program Leader to conduct reviews and action improvement:

- Department of the Premier and Cabinet (DPC)
- South Australian Police (SAPOL)
- Department for Education and Child Development (DECD)
- Department for Communities and Social Inclusion (DCSI)
- Department of Environment, Water and Natural Resources (DEWNR)
- Primary Industries and Regions SA (PIRSA)
- Environmental Protection Authority (EPA)
- Department for Manufacturing, Innovation, Trade, Resources and Energy (DMITRE)

The HPF diagnostic process enables agencies to conduct a gap analysis of their performance against the framework and explore what is required to improve existing practice.

The HPF received a commendation at the Prime Minister's Awards for Excellence in Public Sector Management in November 2013. The Prime Minister's Awards are Australia's most prestigious awards recognising the efforts of public sector managers and organisations.

## Recruitment

### South Australian Graduate Register

The South Australian Graduate Register continued to support graduates through recruitment across the South Australian public sector. The Register is an online recruitment tool where graduates and final year university students seeking employment in the public sector can register their qualifications, skills and work experience. Public sector agencies can use the Register to advertise a specific position or an annual graduate intake, as well as accessing the Register to short list candidates against a specific job vacancy at graduate level.

The State Government continued its agreement with the Local Government Association (LGA) in 2013-14, allowing members of the LGA access to the Register for the recruitment of graduates into councils.

There were 4650 registered graduates active as at June 2014.

### Selection decisions without a merit-based selection process

In accordance with regulation 17(1)(i) of the *Public Sector Act Regulations 2010*, public sector chief executives are able to determine that special circumstances exist warranting the engagement of a person without the conduct of a merit based selection process.

Agencies reported a total of 148 engagements appointed without a merit-based selection process for the year ending 30 June 2014.

## Workforce development

### Leadership - The South Australian Executive Service

The South Australian Executive Service (SAES) was established in 2007 to ensure that the public sector has high performing leaders who have a shared sense of purpose and direction, and engage the public sector in the pursuit of the principles and objectives of the PS Act. The SAES had 509 members as at 30 June 2014.

In 2013-14 the SAES program continued to maximise the performance of the SAES cohort through strategic, targeted development opportunities and performance assessments. The program aims to foster exceptional leadership, collaboration, vision, mobility, flexibility and continuous improvement.

The SAES program:

- delivered two SAES induction programs, which provided 34 new SAES executives with the knowledge, tools, networks and mindset necessary to succeed as public sector leaders
- delivered workshops and events to provide SAES members with a common understanding of the key priorities of government

- collaborated with the University of Adelaide to deliver two advanced leadership courses, the Professional Directorship Program and the Transformative Leadership Program to senior executives across the sector.

The Professional Directorship Program enables executive teams to assess their governance systems for alignment to challenges and supports the delivery of improved outcomes at lower cost through the prudent management of innovation and risks.

The Transformative Leadership Program develops complex thinking abilities such as adaptability, self-awareness, boundary-spanning, collaboration and network thinking to enable senior leaders to learn more, adapt faster, and generate solutions to highly complex challenges. The program involves partnering with the University of Texas and gaining international perspectives from executives in the Texan public sector.

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### Public Sector Management Program

This program, which is delivered nationally, is an example of taking a whole of government approach in the area of learning and development. It is unique in that it brings together mid-level to senior managers across the three tiers of government. During the reporting period a total of 69 new participants commenced the program in South Australia.

During the reporting period a national procurement process was undertaken by the Australian Public Service Commission to tender for a university provider to accredit the program for a period of five years. Queensland University of Technology were the successful applicants and as of 1 January 2015 they will also assume responsibility for delivering and managing the program nationally. The new award will be a Graduate Certificate in Business (Public Sector Management). Flinders University continue to accredit the program in South Australia until their contract ends on 31 December 2014.

The 2013 South Australian Public Sector Management Program graduation ceremony was held in October 2013 at the Adelaide Town Hall with around 90 guests in attendance. A total of 34 participants were eligible to receive a Graduate Certificate in Public Sector Management from Flinders University.

### Flexible work practices

During the reporting period the Equal Opportunity Commission, in partnership with the Department for Manufacturing, Innovation, Trade, Resources and Energy, the Australian National University and the University of New South Wales, conducted a research project to establish a better understanding of the issues surrounding flexible working arrangements in the South Australian public sector. The research was a *“Review of Attitudes to and Adoption of Flexible Work Arrangements (FWAs) in the South Australian Public Sector”*

Data used for this project was derived the CHRIS5 human resources information system and the results from the High Performing Workplaces Index Survey, which was conducted across four government agencies in 2013.

While public sector employees have entitlements to request and use flexible working arrangements, anecdotal evidence suggests that there is inconsistency in implementation across the sector. The project also aims to raise awareness of the benefits of flexible working arrangements in terms of business outcomes and is aimed at achieving cultural change throughout the public sector.

The results of the research revealed a high take up of flexitime, a low uptake of other flexible working arrangements and a higher use of flexible working arrangements by female employees. The results also demonstrated gender and seniority to be two major factors that place pressure on employees' time. Further, consistent with anecdotal evidence, the study revealed a lack of consistent data collection and recording of flexible working arrangements in the public sector.

As a result of this study the Equal Opportunity Commission led the Flexible Workplace Futures project, focussed on improving the provision and consistency of flexible work in the public sector. Other agencies involved in the project include:

- SafeWork SA
- The Office of Public Employment and Review
- Public Sector Workforce Relations
- The Department of Further Education, Employment, Science and Technology (DFEEST)
- The Department for Communities and Social Inclusion (DCSI)
- The Department for Correctional Services (DCS)
- The Office for Women
- The Department for Health and Ageing (SA Health)
- South Australian Police (SAPOL)
- The Department for Education and Child Development (DECD)
- The Department of Planning, Transport and Infrastructure (DPTI).

The project's achievements to date include:

- the development of the new Commissioner's Guideline and Determination, Flexible Workplaces
- an electronic information package for agencies
- tools for managers and staff including an electronic request form, an online application for team management, training for managers and a staff survey
- the implementation of these tools, flexible work policies and practices is occurring in a number of agencies
- a new 90 day project at DPTI, State Valuation Office to implement the new flexible work information package and ultimately a greater rate of flexible work uptake.

The next phase of the Flexible Workplace Futures project aims to communicate the project's outcomes across the public sector to promote a sector-wide culture change with regards to flexible working arrangements and more consistent implementation across the public sector.

## Redeployment of employees

During the reporting period:

- the number of excess employees was reduced from 177 in June 2013 to 150 in June 2014, representing a net reduction of 15%
- 88% of excess employees were placed or separated within 12 months of being advised that their role has been abolished
- 74 employees were added to the excess list and 101 were placed or separated.

Of the 150 employees that were excess at June 2014, 47 were available for immediate placement and the remaining 103 were in temporary roles or on leave.

A focus on workforce planning has reduced the likelihood of employees being declared excess with agencies being more active in pursuing and planning for alternative employment options within the agency. Priority attention is given to those employees who have been excess for long periods and are not in temporary roles or on leave.

## Employee movement

Regulation 6(9) of the *Public Sector Regulations 2010* enables chief executives to determine that the right of return by employees to their home agency, from employment external to the home agency, is not to apply to specific areas of the agency's operations. The Chief Executive must be satisfied that such a decision is warranted in the circumstances having regard to the urgency or significance of the agency's operations.

No agency chief executive reported using this power during the reporting period.

## Reviews of employment decisions

### Internal reviews

The PS Act specifies that employees aggrieved by an employment decision of a public sector agency, directly affecting the employee, are able to apply for an internal review of the decision. This review is conducted by the employing public sector agency. There were 142 such applications for internal review for the year ending 30 June 2013.

### Public Sector Grievance Review Commission

The Public Sector Grievance Review Commission (PSGRC) is established under Schedule 2 of the PS Act. A Presiding Commissioner and two Assistant Commissioners are appointed.

The PSGRC is required to review an employment decision; that is, the actual decision of the original decision maker taken at the time, and the evidence and material utilised by that decision maker (or their reasons for decision). It follows from the rules of natural justice that this material ought to have been provided in full to the employee concerned at the time of the decision and in any event, volunteered in full to the PSGRC in the agency submission. The PSGRC modified its correspondence to the parties to more clearly reflect the above

requirement. In order to assist agencies to better prepare submissions, the Commissioners held a half day workshop for HR representatives that was well attended and the feedback was positive.

Forty applications for external review were lodged with the PSGRC during the reporting period ending 30 June 2014. The following agencies were represented:

- The Department of Planning, Transport and Infrastructure (DPTI)
- The Department of Correctional Services (DCS)
- The Department for Education and Child Development (DECD)
- The Courts Administration Authority (CAA)
- The Department for Communities and Social Inclusion (DCSI)
- The Department of Health (DOH)
- The Department for Manufacturing, Innovation, Trade, Resources and Energy (DMITRE)
- The Department of the Premier and Cabinet (DPC)
- The Department of Treasury and Finance (DTF)
- The Department of Environment, Water and Natural Resources (DEWNR)
- Police Ombudsman
- Renewal SA.

Five applications were carried over from the preceding reporting period from employees of DPC, DCS, DCSI, CAA and TAFE SA.

Five hearings were carried over to the 2014-15 financial year involving DEWNR, DECD, DTF, DMITRE and Renewal SA.

During the reporting period, 11 applications were withdrawn, by employees of DCSI, DCS, DMITRE, DPC and DPTI. The Commission found it had no jurisdiction to hear 13 applications, from employees of DCS, DECD, DPTI, DOH, CAA, DTF, DCSI and the Police Ombudsman. The remaining 16 resulted in hearings, some involving multiple applications, with two applications yet to be heard.

The PSGRC found for the agency in nine matters involving CAA, DCS, DCSI, DECD, DEWNR and DTF. In five matters it found for the applicants, from DPTI, CAA and DECD.

## PUBLIC SECTOR WORKFORCE INFORMATION

The Commissioner for Public Sector Employment has the power to require public sector agencies to provide statistics relating to public sector employment matters in accordance with section 19 of the PS Act. The Office for Public Employment and Review obtains this information for the Commissioner by conducting a comprehensive census of all South Australian state public sector organisations. The data is subjected to quality assurance and subsequent analysis, and the figures are reconciled with those published by the Department of Treasury and Finance (DTF). Many regular and ad-hoc reports are generated from the data, along with explanatory reports on specific topics for the benefit of public sector management.

The Workforce Information Collection (WIC) is the only comprehensive public sector-wide employee demographic data collection in South Australia. It provides a snapshot of the South Australian public sector's demographic profile as at the end of June each year. It is therefore in high demand for use in evidence-based decisions made in key policy areas that require reliable information on the characteristics of the South Australian public sector.

The report includes total numbers of public sector employees (FTEs), employee turnover, tenure, sick leave, appointment types, executives, age profile, and many key indicators of diversity (including the number of women in leadership, number of employees with disabilities, cultural background and Aboriginal and/or Torres Strait Islander employees). The WIC is a significant tool for meeting the government's objective of ensuring accountability in the public sector.

A collaborative project to review the existing Workforce Information Collection system and implement an enterprise business intelligence system to underpin the WIC was undertaken during the reporting period. Key to the project's successful implementation has been the capability building of staff involved in the project. Staff received training and development to enable continued maintenance and improvement of the system.

Workforce Information tables are published on the Office of Public Employment and Review's website – [www.oper.sa.gov.au](http://www.oper.sa.gov.au).

## SAFETY IN THE PUBLIC SECTOR

The Safety and Wellbeing in the Public Sector 2010-2015 strategy developed by Public Sector Workforce Relations supports the SASP Target 21: achieve a 40% reduction in injury by 2012 and a further 50% reduction by 2022.

The strategy includes the Premier's Safety and Wellbeing in the Public Sector Declaration. This states that every harmful incident or injury is held to be preventable and that when injuries occur, the aspiration is for a 100% return to work. The strategy is framed around four elements:

- commitment to the management of safety and wellbeing
- accountability for safety and wellbeing performance
- integrated risk management
- effective measurement and evaluation.

The strategy sets targets for safety and injury management performance and aims to improve public sector performance with a consequent reduction of the human, social and financial cost of workplace injury.

New claims fell by 181 (4.2%) from 4,342 in the June 2010 base year to 4,161 in the 12 months to June 2014. The new injury claims frequency rate (number of injuries per million hours worked during each 12 month period) fell by 2.3 (7.3%) from 31.5 in June 2010 to 29.2 in June 2014.

The latest data shows that there has been a net 40.3% reduction in serious injuries (those with 10 or more lost days) during the period June 2002 to December 2013. There has been a net reduction of 34.3% in workplace injuries with five or more days lost time during the period June 2002 to December 2013.

## STATE OF THE SECTOR COLLECTION – REPORTING AGAINST THE PUBLIC SECTOR PRINCIPLES

### State of the sector collection

The public sector principles are central to the philosophy of public sector management that underpins the PS Act. The legislation is intended to guide the operations of the public sector and to reinforce the role of the sector in the delivery of services to the public and in responding to Government priorities. The principles apply to all agencies and their employees regardless of the Act under which they are employed.

The PS Act states that the Commissioner for Public Sector Employment is to monitor and report to the Minister on observance of the public sector principles. Fundamental to the intent of the PS Act, and specifically the public sector principles, is the continuous improvement of public sector performance and accountability.

An agency survey was used to gather information to enable the Commissioner to provide to the Minister with a detailed appraisal of the public sector's implementation and observance of the principles.

The public sector principals are:

- public focus
- responsiveness
- collaboration
- excellence
- employer of choice
- ethical behaviour and professional integrity.

### Public focus

The public sector is to:

- focus on the provision of services to the public
- recognise the diversity of public needs and respond to changing needs
- consult and involve the public, where appropriate, to improve services and outcomes on an ongoing basis.

Most agencies reported that they obtain feedback from customers/clients and stakeholders enabling them to target areas requiring specific attention. Social media and online survey tools and forums are increasingly used to promote services and obtain feedback. An increasing awareness of the diversity of customers/clients and stakeholders and the importance of

meeting their needs through feedback and consultation is essential to the improvement of services that the government provides to the community.

Agencies used a variety of methods for obtaining customer/client feedback. The two most common methods used by agencies are customer satisfaction surveys and complaint monitoring. Liaison with peak bodies and other stakeholders and surveys of the general public are also common methods of obtaining customer/client feedback.

Many agencies have developed a Customer Service Charter that highlights their commitment to customer service excellence for both internal and external customers. Some agencies use benchmarking to measure and achieve best practice and regularly monitor and report service outcomes to ensure continual improvement. It is vital that service delivery meets national and industry standards and regulations.

Agencies that obtain customer/client feedback use information gained to inform improvements to policies and systems, programs and services to better meet the needs of the customer and/or community. Other uses for customer/client feedback include providing feedback to individual employees on how they may improve their customer service, responding directly to the person or organisation providing the feedback, and informing customer service training.

The Government will develop a Charter of Public Service Guarantee that will ensure citizens have a clearer understanding of the service standards they can expect and what to do if these standards are not met. This will improve service delivery by clearly articulating how complaints should be dealt with by all government agencies and set out clear processes for measuring the performance of public services against these standards.

Technology will increasingly be used in the future to connect South Australians with the things they want and need, when and where they need them. Government services are no exception and a new across-government ICT strategy, called SA Connected, will make sure government ICT is continually updated as technologies change the way people live.

Examples of agency strategies relating to public focus include:

- The Department of Correctional Services has a number of processes in place to seek feedback including the biannual stakeholder forums to discuss departmental performance including a prisoner complaints system.
- The Department of Planning, Transport and Infrastructure holds community forums and conducts surveys on a range of infrastructure projects.
- The Department of Environment, Water and Natural Resources natural resource management regions actively seek to involve community, industry and all levels of government to identify and solve natural resource issues. Community views and feedback are captured through conversations, at community meetings and through a web based 'Have your say' forum and online enquiry system.
- SA Health is committed to providing the best possible care and services for the consumers and community it serves and, to inform this, patient satisfaction surveys are conducted across the system.

## Responsiveness

The public sector is to:

- implement the Government's policies in a timely manner (regardless of the political party in Government)
- provide accurate, timely and comprehensive advice
- align structures and systems to achieve major strategies while continuing to deliver core services.

Public sector agencies reported that they have procedures and systems in place to ensure that advice provided to ministers and their offices are in line with government policies, and the advice provided is timely and accurate. Across the agencies similar methods were reported for achieving this, including:

- electronic systems used to facilitate the flow of advice through the agency, which monitor the timeliness of advice and ensure appropriate sign-off
- sign-off arrangements for briefings and advice are carried out by the chief executive or deputy chief executive (or equivalent)
- central units exist to coordinate and ensure the quality and consistency of advice, which often operate in the chief executive's (or equivalent's) office
- timeframes are set for the provision of advice for final sign-off
- electronic templates are used to ensure consistent formatting of documents
- guidelines and policies are established to set standards for the provision of advice.

Examples of agency strategies relating to responsiveness include:

- The Environment Protection Authority uses a range of frameworks to ensure they have the capacity to respond to Government policies and achieve major strategies including strategic business planning, risk and financial management frameworks and rigorous internal audit functions. Compliance plans are in place to ensure best practice regulatory principles.
- The Department of Environment, Water and Natural Resources has developed the Organisational Performance Framework to manage business planning, delivery, monitoring and reporting. Election commitments and key projects are monitored and reported on a monthly basis. The framework provides a level of agility for changes and ensures performance and accountability drives the delivery of priority tasks.
- The Department of Treasury and Finance is required to report on an annual basis to meet a range of government requirements. The annual Audit and Risk Management work plan includes reviewing key financial cycles, activities associated with risk management and the review of key departmental processes.
- The Department of Correctional Services has integrated systems to ensure that the quality of advice is timely, accurate and consistent. The Executive Services Business Unit monitors requests and ensures responses are provided in accordance with established protocols, timelines and procedures.
- The Department of the Premier and Cabinet serves the Premier and four Ministers across five portfolios and Cabinet Office provides a whole of government policy advice

function. Procedures, protocols and systems are subject to continual review to ensure the quality of service provided is of the highest standard.

## Collaboration

The public sector is to:

- ensure there is ongoing collaboration between public sector agencies in which all parties work together to achieve outcomes for the government and community
- focus on whole-of-Government, as well as agency-specific, services and outcomes.

Agencies reported that employees within their agency worked collaboratively with other organisations either within or outside of the South Australian public sector, and many examples were provided. Common responses included mention of improved and seamless or 'joined up' service provision to the community, the gaining of a shared understanding of opportunities, and cost effectiveness and participation in across sector working parties.

Responses indicated an increasing diversity of stakeholders, a growing awareness of the importance of collaboration and expanding the scope of collaboration outside of government. Some agencies are providing training on relationship management, partnering and effective communication to build skills that enable more effective collaboration, resulting in improved services to the community.

The State Government has increased community input into decision making through initiatives such as the Citizen's Jury, which looked at ways to make Adelaide's nightlife safer and more vibrant and has established the whole-of-government consultation forum and website, YourSAy.

When asked what role the agency has in collaboration and what actions the agency has taken to build its capability to collaborate, a variety of comments were made and following are some examples:

- The Department of Further Education, Employment, Science and Technology administers Skills for Jobs in Regions, where 15 Industry Leaders Groups across the State are made up of senior and experienced industry leaders who have strong links to industry and the community.
- TAFESA is committed to providing quality education and achieving the skills, development and vocational competence of regional students. The benefit of regional managers working closely with schools, small businesses and other industry partners is already being realised.
- The Department of Environment, Water and Natural Resources (DEWNR) regularly works with not-for-profit, non-government and industry and community groups as well as all three levels of government in a range of areas, such as working to secure a healthy River Murray.
- The Department of Primary Industries and Regions SA (PIRSA) has recently signed a landmark agreement, *Agriculture and NRM: Working Together*. Key signatories include primary producers, the Natural Resources Management Council and the State's

Natural Resource Management Boards as well as the chief executives of PIRSA and DEWNR.

- The Department for Manufacturing, Innovation, Trade, Resources and Energy continued to guide the agency's approach to effective and trusted stakeholder engagement. During 2013-14 approximately 50 staff completed relevant training and an internal champions' network was established to enhance stakeholder engagement capability.

## Excellence

The public sector is to:

- provide services with a high level of efficiency and effectiveness
- move resources rapidly in response to changing needs
- devolve decision-making authority to the lowest appropriate level
- manage resources effectively, prudently and in a fully accountable manner
- maintain and enhance the value of public assets.

Responses provided by agencies indicate that all had implemented actions to encourage a culture of excellence. A range of mechanisms were described by the agencies, which ranged from commitments within strategic and/or business plans that are linked with regular performance management and development processes, the benchmarking and evaluation of performance and service against KPIs, the use of internal programs such as the High Performance Framework, as well as the adoption of external programs and tools such as the Australian Business Excellence Framework.

Examples of strategies adopted and methods of evaluation to encourage a culture of excellence include:

- The Auditor-General's Department measures progress against corporate and annual plan strategies and actions and benchmarks processes against other audit offices. Audit processes are supported by robust quality assurance frameworks which assess the quality of audit work.
- In Renewal SA formation of internal steering committees or working groups such as the Information Architecture Steering Group evaluate how information is managed internally and what improvements can be made.
- In SA Health all Health Networks participate in the Australian Commission on Safety and Quality in Health Care which includes continual review of performance against defined standards, independent and self-assessment and external accreditation. The National Safety and Quality Health Service Standards provide health care organisations with a framework to deliver a consumer-centred service focusing on the continuum of care by incorporating systematic external peer review.
- The Attorney-General's Department has implemented a business improvement strategy and associated training programs throughout the agency. Each business unit has a plan associated with the AGD strategic priorities.
- The Department of Communities and Social Inclusion encourages a culture of excellence and has the value 'brave' to support this. This challenges employees to be fearless and bold in tackling the hardest issues, giving them the courage to explore beyond the horizon and discover new ways of doing things. The agency has been

using the Australian Business Excellence Framework as a driver for continuous improvement since 2004.

## Employer of Choice

Public sector agencies are to:

- treat public sector employees fairly, justly and reasonably
- prevent unlawful discrimination against public sector employees or persons seeking employment in the public sector
- ensure that public sector employees may give frank advice without fear of reprisal
- encourage public sector employees to undertake professional development and to pursue opportunities throughout the public sector
- set clear objectives for public sector employees and make them known
- acknowledge employee successes and achievements and address underperformance
- ensure that public sector employees may join, or choose not to join, organisations that represent their interests
- consult public sector employees and public sector representative organisations on matters that affect public sector employment.

### Agency Surveys

Several agencies reported that they had conducted a survey during the past year (or in the previous year) for the purpose of evaluating the views of employees on the organisation as an employer. Agencies are using their employee surveys to assist in understanding the strengths and weakness of the workplace according to the perspectives of their employees and to identify areas for improvement. The results were used in the following ways:

- translation into strategies to improve the workplace
- findings presented to executive and senior management
- results investigated further to gain an increased understanding of what creates positive or negative outcomes
- performance measures progressed over time
- survey findings presented in agency forums
- performance and progress benchmarked against other agencies / organisations.

### Performance Review and Training

All agencies reported that they have established a performance management and development system for employees. The majority evaluate the effectiveness of their performance management and development system, while others indicated that they are developing an evaluation process.

The majority of agencies have provided training for managers to ensure they are appropriately skilled to conduct effective performance management reviews and many have a policy with clear specifications on dealing with unsatisfactory performance:

- The Department of Correctional Services provides support for staff to undertake training and development. Individual performance development plans enable staff to identify their career development goals and training needs.
- In TAFE SA the Workforce Development unit has established a framework for the training and development of staff. Strategies also include implementation of a Leadership Program, Aspiring Leaders Program, and an e-learning strategy supporting lecturers to upgrade to the current qualification requirements.
- SA Water has a performance appraisal and development planning system for employees to drive business performance. Every employee has a plan which is linked to performance goals and measures, the SA Water Strategic and Business Unit plan. Development needs and individual career planning are linked to the current job demands.
- The People and Culture Division in the Department for Manufacturing, Innovation, Trade, Resources and Energy compiles participation rates in formal performance conversations. Perceptions of these conversations are assessed via the staff survey. Learning and development opportunities are continuously being identified as part of the performance review process.

### Workforce diversity

Most agencies have strategies to increase workforce diversity. The most commonly described strategies are aimed at supporting employment of people who identify as an Aboriginal or who have a disability. Many agencies also have strategies relating to women in leadership and conduct workshops aimed at increasing cultural respect and improving access and inclusion:

- One of the principles underpinning the Department for Education and Child Development's merit selection policy is diversity, which is reflected in training for selection panel members. The Aboriginal Pathways into Teaching Pilot program aims to provide opportunities for 10 existing Aboriginal employees to take part in a supported teacher education program.
- In March 2014 the Department for Communities and Social Inclusion launched an Aboriginal Strategy 2014-16 and a Disability Employment Strategy 2014-16 which set out clear plans for increasing the representation of these employees. The DCSI Reconciliation Action Plan 2014-16 was also developed and supported by an intranet site.
- The Department of Primary Industries and Resources SA links workforce planning, training and development to the agency's strategic plan and business requirements to ensure the delivery of outcomes. Diversity is supported through an Aboriginal scholarship program, flexible work strategy, performance management and development, a carer's policy and Aboriginal reconciliation action plan.
- The Department of Treasury and Finance has a number of guidelines and programs to support the fair and equitable treatment of employees and potential employees. This includes a Fair Treatment in the Workplace policy supported by trained contract officers, online training for selection panel members and mandatory online training in disability and cultural awareness. A grievance resolution procedure provides avenues of redress for those employees that consider they have received unacceptable treatment or have been impacted by unfair administrative decisions.

## Ethical Behaviour and Professional Integrity

Public sector agencies are to:

- be honest
- promptly report and deal with improper conduct
- avoid conflicts of interest, nepotism and patronage
- treat the public and public sector employees with respect and courtesy
- make decisions and provide advice fairly and without bias, caprice, favouritism or self-interest
- deal with agency information in accordance with law and agency requirements
- avoid conduct that will reflect adversely on the public sector
- accept responsibility for decisions and actions
- submit to appropriate scrutiny.

In accordance with the PS Act, chief executives are to ensure, as far as is practicable, that the *Code of Ethics for the South Australian Public Sector* (the Code) is observed in the management and day-to-day operations of the agencies.

Almost all surveyed agencies provide training to employees on the expectations of ethical behaviour, including practical exercises exploring appropriate actions to complex situations. Awareness of methods for reporting suspected breaches of the Code are promoted in many agencies and most agencies indicated that they have a policy for the investigation of misconduct.

Examples of strategies implemented by agencies to promote ethical behaviour and professional integrity include:

- Change@SouthAustralia has run an intensive “values in action” engagement strategy. The strategy was open to all public sector employees to contribute ideas on how to make the public sector a more responsive and collaborative place to work. The public sector values and behaviours framework will inform and influence systems aimed at building effective leadership and performance within agencies. Chief executives have responsibility for implementing the values as part of their collective performance agreement.
- Renewal SA has in place policies and procedures that encourage ethical and professional behaviour including the Ethical Behaviour Policy, Whistleblowers Protection Policy, Freedom from Bullying and Harassment Procedure, Alcohol and other Drugs Procedure and Fraud and Corruption Prevention, Detection and Response policy.
- The Attorney-General’s Department conducts a program of information and case studies centred on the Code continuously throughout the year. Online training is provided for new staff which is incorporated into their induction.
- The Department of Primary Industries and Resources SA provides a detailed induction for new employees on the Code. Regular emails to all staff and articles within the ‘Chief Executive Update’ remind staff of the importance of adhering to the Code. PIRSA has also established a Governance Committee and Framework.