



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Reference: Annual and financial reports 2004-2005)

Members:

MR R MULCAHY (The Chair)
DR D FOSKEY (The Deputy Chair)
MS K MACDONALD

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 1 DECEMBER 2005

Secretary to the committee:
Ms A Cullen (Ph: 6205 0136)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 2.01 pm.

Appearances:

Speaker, Mr Wayne Berry MLA

ACT Legislative Assembly Secretariat

Mr Max Kiermaier, Acting Clerk

Mr Ian Duckworth, Manager, Corporate Services

Ms Robina Jaffray, Manager Committees Office

Mr Russell Lutton, Manager, Hansard & Communications

Mr David Skinner, Manager, Strategy & Parliamentary Education

Ms Valeria Szychowska, Information Technology Manager, Hansard & Communications

THE CHAIR: We will commence proceedings. Thank you, Mr Speaker, ladies and gentlemen. We will resume public hearing No 4—inquiry into annual and financial reports 2004-2005 for the Legislative Assembly Secretariat. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation, for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Good afternoon, Mr Speaker, Mr Kiermaier and Mr Duckworth. I understand Mr Kiermaier is standing in for the Clerk, who is absent on an important family celebration. Mr Speaker, do you wish to make an introductory statement before the committee members raise any questions?

Mr Speaker: Yes. I would like to begin by thanking the committee for giving the Secretariat staff and me the opportunity to answer some of your questions concerning the Secretariat's 2004-05 annual report. During the financial year 2004-05 the Secretariat continued to provide high levels of service, if we can be so boastful, to members and their staff. The reporting period saw a number of significant achievements for the organisation including:

- development and finalisation of a certified agreement for the Legislative Assembly members' staff—a major review of physical security was completed and the implementation of recommendations has commenced;
- reactivation of a public service seminar program aimed at improving the knowledge and understanding of the roles and functions of the Assembly and its committees in the ACT bureaucracy;
- hosting the ninth Australasian and Pacific conference on Delegated Legislation and the sixth Australasian and Pacific Conference on the Scrutiny of Bills;
- introduction of delayed broadcasting of question time on community radio 2XX; and
- formation of an OH&S committee for the Assembly workplace.

There have been some challenges for the Secretariat in delivering these services for its clients which relate primarily to resourcing pressures and the fact that, whilst the Secretariat is a small organisation by public sector standards, it sustains many of the

same functions and responsibilities as larger government departments but without the economies of scale. The Secretariat operated with a \$107,000 surplus for the reporting period, attributable largely to lower than budgeted expenditure associated with Assembly committees and Hansard services due to the election period; lower expenditure associated with legislative drafting and legal services, and lower employee expenditure.

The Secretariat continues to evaluate the feedback of the full range of client groups it services in an effort to be more responsive to their needs. To this end the Secretariat will be instituting a formal feedback survey for members of the Standing Committee on Administration and Procedure to more effectively gauge the levels of client satisfaction. I again thank the committee for the opportunity to appear before you. We trust you will question us within the usual roles of the scrutiny of this committee.

THE CHAIR: Although the customer survey is a reassuring development, it was promised last February when I raised an issue with the Clerk. Despite having been in this establishment for only 12 weeks, the carpet was wearing out in my office from members on both sides, who asked me to take up issues through this committee. Mr Duncan said there had formerly been a monthly survey; that it had all been scrapped and that he was looking to reintroduce something more frequent. I expressed the opinion that we probably do not need monthly feedback. It is now almost a year and no progress appears to have occurred. What is the reason for such an incredible delay in addressing the concerns raised? I know that, under parliamentary practice, Mr Speaker, it is not reasonably expected of you to deal with the micro details, so Mr Kiermaier might want to answer this question. I am wondering if someone can explain why it has taken so long to deal with that matter.

Mr Kiermaier: I can talk to the general knowledge I have of this issue. I believe it was thought that the administration and procedure committee, being a representative body of all members, was perhaps best placed to handle this issue. I know its introduction is imminent. The survey is being developed. Mr Skinner may be able to comment further. That is my knowledge of it.

Mr Speaker: Mr Duckworth might have a couple of things to say.

Mr Duckworth: As you say, it is important to take seriously in the Secretariat the gathering of the views of members. Over the last few years we have done some good work towards getting a strategic plan for the period to 2009. We have worked very hard to develop strategies and outcomes that we think are relevant. The measurement of performance can be done very quickly, but you often find that the information you have gathered does not really line up with your strategies and outcomes.

It is true that there has been some delay. Part of that delay has been due to work undertaken to try to ensure that the information we gather from members is relevant to measuring our performance and that it balances, on one hand, the need to avoid unnecessary surveying—which was our first attempt way back in the early 1990s, when members were up in arms about the burden of the survey process—and perhaps balancing that on the other hand against the next attempts we made in the late 1990s, where there might have been too much brevity and not enough information. Adding to what the Acting Clerk said, we are hopeful that we will be in a position to do a survey in the near future.

THE CHAIR: When is “in the future”? I appreciate that you are working to develop it, but this has been a long time coming. This is the third hearing I have been involved with where these kinds of issues have been raised. I am not entirely happy that this is the sort of thing we need to devote our time to but I have to be frank and say that I have had members—obviously primarily opposition members but also members from the government side—come to me about these issues. For whatever reason, they have not elected to go to the administration and procedure committee.

I have better things to do than be a self-appointed shop steward. That is not what I am in the Assembly for. I am trying to see if we can achieve resolution and get people to feel that the level of service meets reasonable expectations. When you are dealing with 17 members of parliament, you can never keep everybody happy. As I said the first time I met you, that would not be my idea of the most enjoyable task in life. Given that there is an expectation of certain services, I am wondering why it has taken so long to address this fundamental matter. A 20-room country motel asks each customer every day what they think of the service. Whether they take any notice of the answers may be another issue. Is it so complex that we should take such a long time to develop a method of getting feedback from MLAs and their staff? I want to know why it has taken so long to get off the starting blocks.

Mr Duckworth: I do not know that we are at a stage where we can say that it is going to happen on a certain date. My understanding is that we have well-developed arrangements but I could not tell you today when they are likely to be implemented.

THE CHAIR: Is there anyone here who would be in a position to tell us that?

Mr Speaker: I cannot tell you either. This is the first time in my period as Speaker that I have ever been questioned about the need for a survey.

THE CHAIR: It came up at the last annual reports hearing.

Mr Speaker: But it has never been a pressing issue in the administration and procedure committee, where members have representation from across the board. We deal with issues of concern to members as they arise, although not always to the satisfaction of every member who raises them. That committee deals with administration issues that concern members and, of course, procedures on the other hand. It is not something that has been raised that would give rise to the survey being a priority issue. Your raising it will cause me to think about it a little more and we can put some more focus on it. Had it been raised with the committee by other members in the past, I am sure the committee would have given a bit more priority to it.

THE CHAIR: It came up in February and was seen as one solution to the different issues, some of which are relatively minor. But a whole lot of minor issues together speak to a possible problem.

Mr Speaker: Now that you have raised it, I will certainly make sure it is a priority issue for us in the administration and procedure committee. It is the first sign of a general concern—not of concern about some issues—about not having some sort of paper circulating for the opinions of members. As I say, we will deal with it.

THE CHAIR: It is as tight a mechanism as possible. I might come back to some of the lesser issues later and talk now about a few of the bigger picture matters. Before we get on to the planned structural or physical changes, are we able to look with confidence at the issues that came up in the financial audits report on the last annual report and say that they are not likely to be recurring themes in the one that is to be tabled in a couple of weeks? Are things in order financially? You said you had a surplus of \$107,000. Have all those administrative concerns been pretty well addressed?

Mr Speaker: I hope and trust that we can. Mr Duckworth will confirm this, I hope.

Mr Duckworth: Yes. Both the audit report and the previous year's annual report point to some issues that caused concern within the Secretariat. We have put in place a new staffing structure and implemented a new financial management system which, with one minor exception, has been an overwhelming success.

THE CHAIR: What is the exception?

Mr Duckworth: We are having some difficulty with some of the internal management reporting capability.

THE CHAIR: Is that because of the software or because of the personnel inputting the data?

Mr Duckworth: It is a combination of the software's capability to address some peculiar requirements of the Treasury in the cash flow reporting required of ACT agencies. That issue was always going to be a challenge for whichever system we chose. We chose what we thought would be the best system. One of our key criteria was the ability of the various systems to deal with the unusual reporting. As it has transpired, it has been the source of some work having to be done around it. We are working with the accounting firm that supports the system—they have given us good support over a number of years—to deal with that. It is not affecting our ability to deal with any statutory reporting requirements.

THE CHAIR: It is historical reporting, of transactions, is it?

Mr Duckworth: It is the ability to put properly classified transactions and account for them in the right category in the management reports and the monthly reporting we do to Treasury. I do not have the benefit of a more detailed explanation on that.

THE CHAIR: Are you able to give that to the committee subsequently?

Mr Duckworth: I could take it on notice and provide that to the committee.

THE CHAIR: Not a war and peace version, but just a precis of the issue. One of the myriad issues that people kindly sent was the progress of payments. Does that impact on the pace at which you are able to process payments? Could you explain what your normal terms of trade, if you like, are when it comes to reimbursing staff and members for outlays? Is there a set time line or do you just put them through when you can?

Mr Duckworth: No. Our standard policy is to pay invoices received within 28 days. In my experience, claims from staff for reimbursement are usually done within several days. There are instances where there can be delays but, in many cases, people who have reimbursements due to them can present to the corporate services office and fill out a claim form. When that is properly signed, they can usually be issued with cash there and then, or a transaction slip if it is to be deposited into their bank account. Incidental payments to internal staff are usually done quite quickly.

THE CHAIR: Some members have raised the issue of having to pay out of their own pocket and eventually wait to get their funds back. They may even have had to pay the account, depending on whether they have booked a hotel or an airline ticket. Has any thought been given to a better process—maybe the issuance of a corporate card or something of that nature? Given that the members have an allowance of \$25,000 over four years, that is a significant amount of outlay, potentially at different times, for MLAs to meet. If you are not paying your accounts under 28 days, you are effectively asking for that. For those who may not be as cashed up as others, it might be quite a challenge to meet those accounts if they are charging them before they are reimbursed by the Assembly. Would it not be more sensible to have some corporate card system in place?

Mr Duckworth: In the comments I made a moment ago regarding the normal trading terms I mentioned 28 days. That is our standard approach for trade creditors, as I thought I indicated in my response. Perhaps I could clarify that. Payments for members and their staff and Secretariat staff who are entitled to be paid some money through a reimbursement or whatever are normally made within days. There is a particular issue you may be referring to where our hands are tied to some extent. You have picked up the issue of members' travel entitlements.

The remuneration tribunal issues a determination at least annually. The change they made in July of this year, which introduced a revised entitlement for non-executive members to a combined study and accompanying travel entitlement, is quite specifically a reimbursement entitlement. As a consequence, we have no option but to say to members, "If you are travelling, make your arrangements and we will reimburse you." But I must say that, in my experience, if members who might book an airline ticket, pay a conference fee or whatever provide us with the necessary receipt, they are paid within 24 to 48 hours.

THE CHAIR: If that is the determination—and I accept what you say—it may be something that could be looked at quite easily. I suspect it is a technical fault which would be easy to fix. Has the concept of a corporate card—where expenses would be charged directly back to the Secretariat so that the members who have raised it do not have to deal with the issue of being out of pocket for a length of time—been explored? Would that not make sense?

Mr Duckworth: It has not, because of the position of the tribunal in relation to it being a reimbursement.

THE CHAIR: Are there corporate cards issued in the Assembly?

Mr Duckworth: There used to be.

THE CHAIR: There are none now?

Mr Duckworth: There are several.

THE CHAIR: Who are the holders of those cards?

Mr Duckworth: The Clerk has one, the building manager has one and the corporate staff have them.

THE CHAIR: Do you have one?

Mr Duckworth: No. I am sorry; I have misled the committee. I am issued with one but I don't use it. It stays in the safe.

THE CHAIR: Regarding security, there was recently a story published in the *Canberra Times* reflecting back on an attack on the Assembly some years ago—the attack may have been before my time but I know it was over a year ago—where a number of windows were broken. The issue has been raised whether the existing closed circuit television system is comprehensive and working. Does it cover all the external areas of the building?

Mr Speaker: I remember the event. We have had a report in relation to some of our CCTV installation.

Mr Kiermaier: I can certainly answer that. To give you some background, in 2004 we commissioned the Attorney-General's T4 Protective Security Group to conduct a physical security assessment of the building. The existing CCTV coverage was one aspect they looked into. Not surprisingly, the recommendation that arose was that our existing CCTV coverage is inadequate. It is at least 10 years old; some of the cameras don't work properly; the recorded image is very blurry; and it just needs replacing. At the moment, we are in the process of fully replacing that coverage. It is presently being costed. We are proposing upwards of about 30 cameras not only on the perimeter but also in corridors, at the front and a couple in the chamber, for instance. So we are certainly embarking on a project to upgrade our CCTV coverage.

THE CHAIR: What is the likely timeframe for that? If it is not diminishing security, where will that all be ultimately monitored or tracked?

Mr Kiermaier: The likely timeframe is in the first half of next year. One of the factors we need to bear in mind is our front entrance redevelopment project. We are proposing that the principal attendant/security controller's office be relocated at the front. In fact, we are proposing that all our security functions be conducted from the public entrance. So a lot of the terminating aspects of the CCTV and access control systems will occur at the front. And because that is being redeveloped, it needs to be incorporated into the front entrance redevelopment project. That is online to be completed by the middle of next year.

THE CHAIR: Is it within the budget framework?

Mr Kiermaier: Very much so; yes.

THE CHAIR: I believe there were 76 recommendations in what I am told is described as the T4 review.

Mr Kiermaier: Yes.

THE CHAIR: Are those recommendations all to be implemented in due course?

Mr Kiermaier: No, not necessarily. Not all the recommendations came at a cost. For some of them, we are talking about our internal management of things. Most will have been addressed by next year. Some we did not agree with and, because of the sheer cost, we needed to stage some over a number of years. For instance, some of the recommendations included work in the car parks—installing vehicle barrier systems, bollards and boom gates. With our limited budget, we need to prioritise, so we will go with what we consider to be the more immediate needs first.

THE CHAIR: Thank you. I might hand over to Ms MacDonald. I have a zillion questions but I suspect you are tiring of my voice.

MS MacDONALD: I know that having boom gates, barriers, et cetera, is something which we are looking at and which has been deferred. One of my pet grievances in this place is the fact that people continue to drive at speed around the loop, going the wrong way.

Mr Kiermaier: I share your concern on that.

MS MacDONALD: Is there a possibility of getting urban services to put in a bigger sign which says that it is one way and there is no entry?

Mr Kiermaier: I am sure that we can approach urban services.

MS MacDONALD: Seriously, somebody is going to get hurt there one of these days.

Mr Kiermaier: Sometimes I do not think that it is deliberate. From my vantage point, I see tourists driving in who are looking for a car park and they just do not see that it is one way. I agree.

MS MacDONALD: Maybe we could approach urban services and suggest that they put a sign in a better location or make it larger, or both.

Mr Speaker: Something to slow people down. I am sure that we can raise that with urban services and get their roads and traffic people to look at that.

THE CHAIR: I know that it involves InTACT, but the phone roll-out in this building seems to have died a death. It was to happen in September and we have heard nothing more. Is there more to that saga?

Mr Speaker: The Secretariat, dedicated as they are, have kindly put themselves up as the guinea pigs to test the phone system. Of course, it has to comply with the standards that we set for it. Mr Luton will respond to that on the detail.

Mr Lutton: It has not died a death, but it is proceeding slowly. In our initial talks with InTACT when they were scoping this project, as far back as December 2004, one of the things we specified for telephone replacement in members' offices was that the new system should replicate the functionality and telephone procedures that members had in their offices. There was some more scoping done on that and, when the telephone roll-out commenced, it was immediately obvious to us that that was not the case.

We have been doing everything we can to facilitate the project and to get the new phones into your offices. What we do not want to do is to have an implementation in members' offices that is not satisfactory to members, at least within the capacity of InTACT and TransACT, and us as facilitators of the project for you, to bear with the mutual requirements. There has been a lot of toing-and-froing between InTACT, TransACT and Cisco Systems, who have done the software, for a telephone system that has global replacement implications across the whole of ACT government. They have come to realise that some of the requirements that you want in your offices, and I think in some ACT government offices, are not quite the way it should be. So they have gone back with a list of items from us and from some departments. The executive, too, is in the same position; they do not have their telephones yet, either.

As recently as today we have had an email from InTACT's project manager saying that they believe that they can now make the software changes that will meet a lot of the requirements of your offices, the way you have your telephone systems set up. So it is now a case of timing it so that we can get it into your offices, but realistically it probably will not be until next year.

THE CHAIR: It is a coincidence that last night I was told that the experience Cisco Systems had in the Defence Housing Authority is celebrated as one of the worst telecommunications experiences of any government agency. Has thought been given to abandoning Cisco Systems and finding something else? I gather that that is central to the problem.

Mr Lutton: I do not know. Certainly, as far as the Secretariat is concerned, the shared experience is that the telephones are working well. They come with some new aspects of functionality that people really appreciate. They have also come with a couple of features that we did not really expect the software to have. We have been working with them. What we would like to achieve is that when we take out your old phones and put in your new phones it will be as seamless to you as possible; that you have, as much as we can achieve it, the same office set-up for your telephones and the procedures that you currently apply.

THE CHAIR: It sounds like InTACT did not do the job as thoroughly as one might have hoped, summarising what you are saying. You may not want to say that, but it does seem to be that.

Mr Lutton: No, I did not say that. It is a very big project and certainly we made very clear at the start of this project what we saw as important issues for members. They included security and privacy of your telephone systems, replacement of like with like, et cetera, and that was documented. Like a lot of software, it does not quite come the way you anticipate sometimes.

DR FOSKEY: First of all, on behalf of the committee, I would like to congratulate the Clerk in absentia on the birth of his daughter Matilda. It is probably making him very happy.

THE CHAIR: Hear, hear! I endorse that.

DR FOSKEY: I will start with security arrangements and then go on to the reception room. I am just wondering whether the refurbishment of the public entrance will flow over and have any impacts on the reception room as to coming and going, et cetera.

Mr Speaker: One of the requirements is to keep the reception room working.

Mr Duckworth: I can certainly confirm that the requirements document that we provided for tendering made quite clear that we had to have continued use of, obviously, the chamber and facilities, and one of the requirements imposed on the contractor is to produce an impact plan, if you like, so that we can manage that process. It is going to be quite clear to everybody concerned that there is going to be some disruption, but our objective is to minimise the disruption, and certainly not to have an important facility such as the reception room unavailable. I must stress that the contractual side of the arrangements is in the final stages of being wrapped up and we do not actually have a contract at this stage, but that is an issue that has been included as a requirement and it will be dealt with quite early in the process once the work is scheduled.

DR FOSKEY: Did the thinking about the refurbishment in the last financial year give consideration to the sound and lighting requirements of the reception room, such as adjustable amplification and lights that can be dimmed at the front and rear?

Mr Duckworth: I must say that the redesign process for the public entrance has focused on the entrance. We have not widened the scope of those works to look at the reception room and so on. It has been confined to access control, physical security and systems security.

Mr Speaker: Do you have particular problems with those issues?

DR FOSKEY: Thinking about it, it probably would not hurt to have a process for considering things like that in the reception room. I could make some offhand comments now, but I do not think that that would be a very thorough way of doing it.

THE CHAIR: The administration and procedure committee is probably the vehicle for that. I am not sure whether you are on it.

DR FOSKEY: Yes, I am on that. We talk about the reception room quite a bit in the administration and procedure committee. We keep managing to defer the issue of charges for its use.

Mr Speaker: We have not finalised that yet.

DR FOSKEY: No, we have not finalised that yet. It is a bit of a leading question, but appendix 7 on page 72 shows that there has been an increase in the use of that room. Do

you see the use of that room as a core function of promoting a living democracy in the ACT?

Mr Speaker: I know that it is a budget burden, the extent of which one of the officers will be able to explain, if you want. It is important for members to have access to it for the purpose of consulting with their constituents and it is convenient, but it is a financial cost to us and it is something that we have to manage carefully because there is a bit of wear and tear associated with the building with the thousands of people that use it over a year. It has been a very useful venue for many community uses, but at the same time we have to ensure that we are getting involved in commercial issues and competing with other commercial operators around the place who provide that sort of function space.

To do that, of course, we have to look at the rates we charge and those sorts of things. To provide for fair expenditure of the taxpayers' money, we have to protect the asset, which we will do. At the same time, as we touched on a moment ago, it is a matter for some consideration by the administration and procedure committee to finalise some of the details about that. I do not want to pre-empt what it will say, so I will leave that part of it at that. If you would like some information about the financial issues, I am sure that Mr Duckworth can address some of those.

Mr Duckworth: I can confirm in general terms that the revenue from the use of that room, be it from fees collected from community groups, commercial entities or government agencies, particularly the after-hours use, does not cover the costs for us to provide the after-hours staff and the wear and tear on the rooms, the flooring and the chairs. I am well aware that in the administration and procedure committee's deliberations on the issue of room charges the financial equation has been one of a series of factors that have had to be weighed up.

Returning, Dr Foskey, to your initial comments about possible adjustments that might be justified to sound and lighting, the person most capable of answering that question is probably sitting behind you in the Hansard booth at the moment and cannot leave his post, but I might be at liberty to say that we may be able to explore that and make some adjustments at no significant cost and perhaps could undertake to at least explore that option.

MS MacDONALD: Is there a hearing loop in the reception room?

Mr Speaker: We have considered that and had some discussions on it. Do you know about that, Mr Lutton?

Mr Lutton: My understanding is that there is.

MS MacDONALD: We did talk about it, but I could not remember.

DR FOSKEY: Obviously the reception room is something that I value for use for community meetings such as the one last night and it is a really pleasant room in which to have a meeting, it is just a great room, but perhaps a user survey might be helpful about, for instance, the kinds of things that are in the cupboards in the kitchen. It may seem trivial, but you may be looking for a jug to put water in, for instance, and not be able to find one. That might be something that could be done at very little cost to make

that room just a little bit more useful to people. I would be happy for my office to talk further with whomever would like to do that.

Mr Speaker: Crockery and such are available, provided people let us know that they want it to be provided.

Mr Lutton: I was just talking to our technician and ascertained that there is no hearing loop in the reception room; I apologise. He advised me that the issue often is that when it is set up for a venue it is set up in a way that perhaps does not provide a satisfactory audio amplification for the number of people who finally arrive and where they sit. So there is no hearing loop in that area.

Mr Speaker: There is in these rooms and in the chamber.

DR FOSKEY: In relation to the public service seminars that are briefly reported on on page 9, I gather that that is a reasonably new function that has been taken on.

Mr Speaker: It has been recommenced. Mr Skinner will give some detail on that.

Mr Skinner: The seminar series has been reinstated. The Secretariat, a number of years ago, had a seminar series along those lines. It has been just in the last financial year that we have reinstated those. The feedback from public service officers was that they found them useful and, therefore, we saw the need and decided to meet it.

DR FOSKEY: Have they been adequately attended?

Mr Skinner: Yes. I think we average somewhere between 40 and maybe 50 people per seminar series.

DR FOSKEY: Is it a series?

Mr Skinner: Sorry, there were four individual seminars which comprised the series. The feedback that we got from them was all very positive and it has turned out to be quite good for us and for the wider ACT public service.

DR FOSKEY: Have you found—this is a bit more anecdotal—that public servants appear to be well aware of the different functions of the Assembly?

Mr Skinner: I would say that there is a lot of variability around the level of awareness across the bureaucracy. Obviously, there is a bit of a learning curve for some of the people who are new to the public service and the more experienced bureaucrats have a deeper understanding. The aim of the series was to provide quite a wide spread of knowledge, going into things such as committees, the legislative process, the budget process and issues around parliamentary practice and procedure. Some of the nuances that you might not get in a normal training program offered by the departments themselves were being able to be delivered at that forum.

DR FOSKEY: Would they learn at those seminars, for instance, how the cabinet process works and how to prepare cabinet papers? Tell me to stop if it is not relevant, but is that something that they would learn elsewhere?

Mr Skinner: To explain a little bit, we actually get officers not just from the Secretariat to participate in the seminars. We actually had officers from the cabinet office come in to address public servants. Not having attended that particular one, I could not go into the detail of what they actually went through, but I am told that they did go through that particular issue. They did address the issue of cabinet papers and other things, such as the budget process.

Mr Kiermaier: I might answer that as I was there for that. It was the last one that we held, about four weeks ago. That particular day was about the legislative process and we had people from the cabinet explaining how a bill goes through the cabinet process or how a legislative idea goes from being an idea through the cabinet process to being drafted into a law.

DR FOSKEY: Is there ever any discussion that relates to the separation of powers, such as separation between non-executive MLAs and their staff and public servants?

Mr Skinner: Yes, I believe that has been addressed. Obviously, on the day the presenters make different contributions, but I know that an issue dear to our hearts in the Secretariat is the issue of the separation of powers.

DR FOSKEY: Is it dear to the hearts of public servants?

Mr Skinner: I would not be able to answer that, but I am sure that there is a general awareness around the issue of the separations of powers. It is something that we are constantly impressing on other departments. Indeed, in our annual report, we reflect on that issue as being important for us.

THE CHAIR: I go back to resources. Rather than going through a shopping list of issues, I will characterise where most of them seem to arise that people have raised with me and maybe we can explore whether there are solutions. It seems from what I am hearing that most of the issues in dispute in this place that are raised by members of our staff relate to a tug of war over the discretionary office allowance of members between what they believe ought to be the fundamental tools of trade provided to people to do their job versus a perspective from the point of view of members and their staff that the Secretariat is seeking to make cost transference to the DOA as another pool of funds to fund essentials.

I do not know, Mr Speaker, whether technical computer issues are much your forte, but PDF is a term that relates to the attachment of, for example, a press release sent out by a member. By having the appropriate software, you can prevent that document being tampered with. For example, I am writing to a residents' organisation today and sending copies of letters that I am writing to ministers. They can be adapted and altered by anybody with a computer if they are not protected. This is a pretty standard feature. In fact, I have never been in an organisation where every employee does not have that, but it is a cost that has to be met out of the DOA.

There is a string of them. Members are complaining that paper is being rationed and that they have to buy it out of DOA if it is of a better quality. External access to email. It goes on and on. Business cards above and beyond; I know that was an admin committee

decision. There are many issues, Mr Speaker, and I do not want to tie up the whole day with every complaint. Another example is postage paid envelopes, which are printed in the Assembly but members are being refused access to those envelopes. They have to go and buy stamps and have their staff stamp every envelope, which seems difficult to fathom the logic.

I understand that you may have lodged a submission with the tribunal to address the issue of the DOA. Are you able to confirm that, Mr Speaker? Is that designed to try to solve some of these issues?

Mr Speaker: A submission is being prepared. I have not seen it yet. The aim of it is to put the option to the remuneration tribunal to roll what we describe as the DOA into some sort of entitlement by way of the tribunal's decision and in that way relieve the Secretariat and me of the responsibility of being the police that watch over these issues. If it were to happen, and I cannot anticipate what the final submission will be, that, in turn, will be taken to the administration and procedure committee before I send it off. It would provide some relief to the Secretariat staff because quite a lot of time is involved in dealing with these issues.

There is a list of issues which can be dealt with under the DOA. Fundamentally, it is a flexible scheme whereby, as the standard arrangements for members did not cope with the flexibility that members needed, many entitlements, if you like, have been added to the list as time has passed. Part of the process, I think it is fair to say, is to make the allocation of Assembly resources to members fair but flexible so that, if there is a certain amount of money put aside, one member might wish to spend it in one way to deal with their constituency work and so on and another member might wish to spend it in another way and we could not devise a means whereby we could have a standard approach which applied to everybody. As technology changes, of course, there will always be new approaches and other issues will be added to the list. Mr Duckworth, would you like to say a few words on that?

THE CHAIR: Before we go to Mr Duckworth, it seems to be that there is an issue about the fundamental tools of trade that are expected in a modern office being provided without debate. In other parliaments, even small parliaments, there do not seem to be these issues, from what I am advised. There may be items that I would call in the luxury or discretionary area, but where you have members struggling to get a ream of paper and things like that it seems to be extraordinarily trivial to be wasting the Secretariat's time and that of members. These things ought to be resolved, I would have thought, promptly. Maybe the discretionary office allowance needs modification. I do not know whether that is something that could be done by the committee, by administrative decision on your part or by Mr Duckworth's office, but that seems to be at the heart of a lot of what members raise.

Mr Speaker: I think that to characterise it as struggling to get access to a ream or two of paper is a little harsh.

THE CHAIR: That is factual. I can brief you later on that.

Mr speaker: Members have access to substantial amounts of plain paper, but when it comes to special orders, I understand that decisions are made about access to the DOA.

Somebody might like to draw attention to the amount of paper which is supplied to members and how it is supplied, photocopiers and so on, and how we deal with that.

Mr Duckworth: Chair, I note that you do not agree with the Speaker's assessment of whether struggling to get a ream of paper is an issue. I have to say that I have difficulty accepting that view. It is certainly clear to me that we have had a number of members express concern that coloured paper which is used for communication with the electorate, newsletters, flyers or whatever has been regarded as an item that is to be charged to DOA.

I think it is really important to go back to what occurred when the DOA was established some years ago. What we were contending with back in the late 1990s, the constant criticism back then, was that members could not get any of this stuff. They could not get external access to email, enhanced business cards, postage paid envelopes and the sorts of things you raised earlier. The development of web sites was important to some members. The large trigger at the time was access to notebook computers.

In fact, DOA was born out of a desire to recognise that some members of this place wanted certain things that other members just weren't the slightest bit interested in. The only way we could see that we could meet that need was to say that members will continue to get certain standard entitlements—desks, chairs, computers, phones—and then there was a sum of money set aside which gave members considerable flexibility to choose other items.

I think the issue about some of these additional requirements seems to be a concern by members that they should be provided outside the DOA regime. Those are issues that we do contend with frequently, but on most of those tests they are not issues that most members want and therefore, if we provide those types of issues to certain members' offices and others do not take up the option, we have bought ourselves the problems that we were trying to solve in the first place, we have brought them back again.

THE CHAIR: I am not sure I accept that. I understand what you are saying about your big-ticket items, but I struggle to understand that something as fundamental as basic software to ensure the security of documentation issued by members of the Assembly to external parties, at an annual cost of \$200, is not something that ought essentially be provided for the good running of the Assembly.

Mr Duckworth: I am aware that the particular issue has come up recently. As we often find with software and technology, there is a cycle during which hardware and software platforms and packages are refreshed. Because we are joined in to the ACT government/InTACT arrangement—and I know that has been, on a whole range of different fronts, the subject of much discussion in this place and in these committees—the reality is that InTACT has a rollout scheduled for what I call the next generation. It is my clear understanding that, in their next rollout, the software that you refer to, the ability to write a PDF file, is going to be standard.

The issue that we have to deal with is that, until such time as that is standard for everybody, the Assembly would look at that and say, "Is it something that every members' office has asked for?" We have to manage our budget. I acknowledge the point that it might only be a small sum of money, but when we multiply it by our—

THE CHAIR: There is a \$107,000 surplus and a \$3,400 outlay to ensure the integrity of documents. I don't think we need the entire ACT public service to have this facility before we move forward. I am trying to look for resolutions to these issues. I find it tedious that we have to spend time on it. The fact is that members and many other people raise this. I know Mr Smyth met with the Clerk and raised a string of these matters. I am imploring you to find solutions rather than roadblocks.

Mr Duckworth: I don't think we are trying to find roadblocks. I must say to you that we have talked about the fact that the administration and procedure committee have resolved that the Speaker write to the tribunal. Believe you me, the energy and the resources that the Secretariat devotes to the administration of DOA are not inconsiderable.

THE CHAIR: I am not surprised to hear it. I don't know how you have time to deal with so many matters.

Mr Duckworth: I must say that it comes back to the basic point that, when members want to send newsletters to their constituents and order reams of coloured paper, it has been accepted for some years that it is a DOA item. The Speaker asked during the discussion that I clarify one thing. When the DOA arrangements were first introduced, a large trigger was the desire for members to have laptop computers. Eight out of what was then 13 non-executive members took up the option for a laptop computer. They were leased. By the end of that Assembly, all bar two of them had handed their laptops back. That showed to us that not only is there a difference between members' offices and what they want and don't want but their requirements change over time.

The other thing that is important to put on the record in terms of the tensions in the system is that the majority of members—and I don't say "all"—don't spend their DOA. At the end of the year there is money. I make that point not to do anything but to point out that yes, there is constantly the view expressed "I shouldn't have to pay for that out of my DOA," but, when we reach the year end or the end of an Assembly, invariably there is money left.

THE CHAIR: Can you furnish the committee with that information, not by name, indicating the number of members that did not spend their DOA within a fiscal year? Could we get that as a matter on notice, please?

Mr Duckworth: Yes.

THE CHAIR: Mr Speaker, I don't want to keep going on about this, but it has come up now in three rounds. I implore the administration to hear what people are raising and see whether we can find some solutions.

Mr Speaker: I must add that one of our roles is to make sure the allocation of resources is fair. If we were to say, using the example of laptop computers, that laptop computers were a standard issue to all members—and some members might say that was a good idea—it might be a resource that is not used by some members. Certainly, the indications are that they would not be used by many members. In the case of the DOA, the provision of a laptop is optional. You can make a choice about using the resource for other purposes, in the way that you deal with your electorate.

THE CHAIR: I understood that laptops were an option to desktop computers.

Mr Speaker: I am only using that as an example to demonstrate that this enables members to make choices about how they use their resources and introduces an element of fairness into it so that members don't have unused resources in their offices.

THE CHAIR: I understand the principle, but things such as getting postage-paid envelopes that are being used by the Secretariat staff but are widely denied to members are things that we don't understand.

Mr Duckworth: The postage is paid. The point is yes, we pay for those envelopes. They come at a value. If we were to provide members with postage-paid envelopes, I can assure you that there would have to be, for a start, a limit placed on them. We would be getting orders for them by the thousands.

THE CHAIR: What difference does it make? You are providing them now.

Mr Duckworth: No. It is provided within the limits of the DOA. Members pay for postage out of their DOA.

THE CHAIR: Yes, but postage-paid envelopes are not free envelopes. That simply is a mechanism to enable the staff not to hand-stamp every envelope so that, when they go to a postal service, it is recognised automatically. It is not a cost to the Secretariat.

Mr Duckworth: But most members have a mail account with Australia Post. They don't have to buy stamps and put a stamp on every envelope.

THE CHAIR: I don't think you understand. I will go through it later. You are missing the point. Ms MacDonald has a question on a resource issue.

MS MacDONALD: This is not so much a resource issue for individual members; this is about the Assembly itself and the state of the building. There has been quite a bit of discussion about the possibility of a new Assembly building. Whether or not that occurs, we will be in this place for a while. The comment has certainly been made that, even if we end up moving into a new building, this building will be kept going in some form; they won't be pulling it down.

It is of concern to me, I have to say, that the roof leaks. I know that this is of concern to you, Mr Speaker. I am not sure of the status of the chiller with the air-conditioning unit at the moment. Can you give us an update on the state of the building? I understand there are some tiles falling off the roof onto the ceiling of the chamber.

Mr Speaker: Can I make a general comment first. This building was built to a budget in the first place, and to a very tight budget. We cannot get to the bottom of one roof leak; we just cannot find it. It seems that the only way we will ever find it is if we can have somebody the size of a gremlin, with a torch, in the ceiling when it rains. It happens to be not far from where Mr Mulcahy sits.

THE CHAIR: It was exactly where I sat on day two.

Mr Speaker: It is a source of some embarrassment to us that we can't find it. There were a couple of leakage problems earlier on which we were able to overcome. There has been some work done on the drainage to improve that. As well, there was significant work done in the garden to get rid of some initial vegetation that had taken over—the wisterias—and they were replaced with wonga vines to free up some intrusion into the drains. Maintenance is an issue because the building is getting on a bit. For my part, the building has to present well. We do as much as we can within budget to make the building present well.

Certainly there will be some more work done with the new entrance arrangements. We will be proceeding with those. Sooner or later, everything needs to be refurbished. We will have that on a rotating basis, I expect. Would you like to touch on that, Mr Duckworth?

Mr Duckworth: I can certainly provide Ms MacDonald with an update. We have a timetable, to be finalised before the end of this month. It is a fairly significant document we have been developing. We did some initial data on the lifecycle of the building some years ago. We are close to finalising a strategic asset management plan. It is a treasury requirement which underpins capital upgrade funding.

I am quite happy to say that the document, in terms of its executive summary, in its key themes, makes the point that, whilst there have been discussion and debate about the future home of the Assembly, it is not the Secretariat's job to be the vanguard on that issue; we are obviously very eager to participate in any plans. We would simply look and see how things unfolded.

Should the Assembly move out and be relocated into a world-class facility, this building would continue to be a valuable territory asset. Almost certainly the government would wish to put either a government agency in or put it to some other territory purpose. We have tried to emphasise that we see our role as looking after the territory's building and not focusing so much on the current tenants, if you like.

The reality is that the building is coming up to 40 or 50 years, depending on which part of the building you are in, because it was built in two stages—

MS MacDONALD: Which is older?

Mr Duckworth: London Circuit and Civic Square were first. The chamber and, obviously, the internal fit-out are coming up to 12 years. That is the time at which carpets, paints, light fittings, locks and those sorts of things start to show their age. We have highlighted the need to spend not insignificant amounts of money over the life of the plan. The year 1 figure is significantly higher, to pick up some of the work that has had to be deferred in recent years because of the unavailability of funds. Carpet, in particular, is a problem for us.

We have a strategic document that, as I said, has to be finalised within the next month. The timetable for treasury to consider that is early January. It is something that we will map out and see what our requirements to maintain the building are. No doubt that will lead to some discussion with the Treasurer and the treasury officials about what can be—

MS MacDONALD: You should bring Dr Grimes here one day when it is raining heavily and the roof is leaking. I appreciate that it is something that ultimately depends on getting funding from treasury, but it is a territory asset in the long term.

Things like chairs—we have eight chairs in the government party room; there are nine of us. That means one of us is sitting on a different chair, which is not of the occupational health and safety standards required. The chairs are all falling apart up there, too. Minister Corbell was sitting in a chair in this room when it fell apart one day. I have been asking about things like chairs for close to 10 months now. The chairs, it seems to me, could be replaced fairly easily by getting new ones. These chairs were purchased in 1989 and brought over from the old building. It might be time to look at getting some new chairs.

Mr Duckworth: The prioritisation of replacing furniture is an issue. I must reinforce that, at the end of the day, the work that we undertake on the building has to fit within the budget. If I could go back to one point I probably overlooked: the strategic assessment management plan is attempting to highlight to people in the treasury portfolio who read it that we are showing that our expenditures on reactive maintenance in the building over recent years have blown out.

You made the comment about tiles falling off the roof, which I was briefed on only this morning. We have had some quarry tiles falling onto the roof of the chamber. Hopefully, they are not creating any more leaks in the roof. We have assessed that they are not a safety risk, but we are arranging, obviously, to get an assessment on whether or not we temporarily repair or whether or not there is something more to be done.

Our point, however, is that there are expenditures that we simply cannot avoid because our building is wearing out. That is not helping to get the more proactive and planned repairs and maintenance done.

MS MacDONALD: I will get off the bandwagon in a second. I note that recently members of the Assembly were invited to the law courts. Part of the reason was to impress on members of the Assembly the dire state of the Supreme Court building. The comment was made by at least one member that they ought to visit here if they are complaining about what is happening there. We have just as many issues here as they have at the Supreme Court building.

I agree that the age of the building will affect things, but treasury needs to take it seriously. This is an asset and if they let it run down it will cost them more in the long run.

THE CHAIR: You might take that up, Mr Speaker, with your colleagues.

Mr Speaker: I am always happy to hear the details of these in the admin and procedure committee. We will follow it into the budget whenever we can and take it up as the priority deserves, consistent with what we can afford.

DR FOSKEY: On page 10, under “Agency performance”, there is a reported good result—a surplus—last financial year. Have there been any observations as to whether

we are more likely to get surpluses in election years? Is there any historical data?

Mr Duckworth: Without doubt, it is an area where, in an election year, you might have committee activity drawing to a close around August; you have, obviously, the Assembly not hitting its straps again until February, with the exception of maybe a ceremonial sitting in December. It is true that our Hansard operations and our committee operations run under their normal levels during that period. Having said that, election years can also be times of higher costs. Certainly payments to staff who leave—

THE CHAIR: Using up the paper, too?

Mr Duckworth: Yes. History would show that in an election year we would usually have a surplus. Indeed, we try to run a surplus every year. We came off a year, 2003-04, where we had some costs that we couldn't control but we knew that there was an end in sight. They were beyond our control. In that particular year our employee expenses were significantly higher. As a result, we ran an operating deficit. That was a concern of the Audit Office, although we were able to assure the Audit Office, following the financial audit, that we had brought those issues under control and that we expected to be in surplus in 2004-05. That is what happened. I hope that addresses your concern.

DR FOSKEY: Have you made any observations as to whether costs for drafting and legal services are lower with majority government?

Mr Duckworth: I think we would work on that assumption, yes.

THE CHAIR: Are the executive's costs detached from the Assembly's, as they are elsewhere, for legal and drafting? This is purely non-executive?

Mr Duckworth: Yes.

DR FOSKEY: Are the reduced staff costs, which you imply are the result of the resolution of issues, likely to be permanent?

Mr Duckworth: In the 2003-04 year there were several different issues. A small agency will always have difficulty absorbing costs. We have currently one of our committee staff on maternity leave. We will, from time to time, have staff who may be absent for reasons beyond their control. They have paid leave entitlements to cover that. They were the very issues that contributed to the pressure we encountered in 2003-04. Those issues have been addressed and resolved.

We are always susceptible, I guess, as a small agency with limited funds. Everybody says they have limited funds. We genuinely don't feel we have much capacity to meet large additional expenditures.

DR FOSKEY: Are there any lessons about dealing with staff issues that can be applied to prevent such costs in the future?

Mr Duckworth: There were two major issues that we encountered in 2003-04 that put enormous pressure on us. One was an illness issue that we had no control over, other than offering those people support. The other issue was a staff management issue that we

had to deal with. I believe there were a lot of lessons learnt out of that. I don't think we could put our hand on our heart and say that you wouldn't have those issues arising again.

As public sector managers, we are obliged to manage our people in the best possible way. Part of our strategic plan is to encourage staff to come to the organisation. We see ourselves as an attractive organisation. I hope everybody is happy here.

DR FOSKEY: You can't be responsible for everyone's happiness.

Mr Duckworth: I can try.

DR FOSKEY: I have a couple of questions about workplace health and safety and ESD. I asked this one last year. Kerrie probably asked it each year, too. Bicycles are popular. As yet, there is nowhere safe to put them. One of my staff members had a bicycle stolen earlier this year. There is an area under the stairs, but only a certain number of bikes will fit there. It is first in, first served. Has there been any work done in the past year to solve these issues for people who ride or who would ride to work if they could?

Mr Duckworth: I have to be honest. I know that the last issue that I was aware of was the location of the bikes under the stairwell. We were given reassurances by the appropriate authorities that they weren't hindering safe passage in the fire stairs. You are correct in pointing out that there is only a limited capacity there. I am not aware of any other work that has been done to provide—

THE CHAIR: This came up at last February's hearing, if my memory is correct.

DR FOSKEY: Yes.

THE CHAIR: Dr Foskey has confirmed that. It might be handy if some of the issues that come up are looked at, to avoid them being raised again.

DR FOSKEY: That one is important. It is a cross-party one. No doubt Secretariat staff would use such a facility.

MS MacDONALD: Considering that we now have bike racks on buses, there might be more staff wanting to ride their bikes in and then get the bus home.

DR FOSKEY: Some might even leave an old bike here to ride around the city if we could. There is a bit of flexibility there. I urge you to explore that. I hate being so predictable, but it is unavoidable. In relation to the environmental plan—no-one brought it up in the administration and procedure committee—a number of our ACT departments have environmental plans that cover things like the bikes.

Certainly, in relation to green waste, I am very pleased that matters have moved ahead in terms of the new cleaning contract and so on. At the same time I have been pursuing a process through the admin and procedure committee that was parallel to that and not informed by that. I guess it is a matter of asking how it is that I keep talking about compost. Meanwhile, there were processes to set up a cleaning contractor who would service the composting issues. We have a very small solution in that the compost bucket

is no longer needed.

THE CHAIR: What is the question?

DR FOSKEY: I think it is a communication issue. I am not sure. There are two processes going on here.

Mr Duckworth: On that last point, you outlined there was an arrangement in place for the compost bucket. Then there was an arrangement involving the new cleaning contractor which seemed to overtake that. I know that you have expressed to me separately your concerns about that. It must be said that we didn't envisage that our cleaning contractor was going to be in a position to respond to compost waste at this site.

DR FOSKEY: It was an added extra?

Mr Duckworth: We deliberately asked in the tender documentation for potential contractors, in their tenders, to come on board and help us address waste management. Because of the data we had collected, which indicated a fairly low level of compost being collected in the building, we didn't regard that as something that was able to be economically picked up by them. That is why I must confess that the Speaker, the Clerk and the administration and procedure committee weren't briefed. I was aware of that discussion going on in the committee, from briefings after the various meetings.

I wasn't even aware that the cleaning contractor that we appointed was going to be in a position to help. When they came to the table to talk about how they could help us with waste and how we could partner each other, they made the offer to also deal with compost. That wasn't anticipated by us, but we felt it was an opportunity we should seize. That is how we ended up where we have.

DR FOSKEY: I wouldn't have raised it here if I hadn't already raised it with you. That was a clear explanation.

Mr Speaker: Whenever the opportunities come up to deal with waste disposal in an environmentally sustainable way, of course people jump at it. Sometimes it is not as easy as it first sounds, given the small amounts.

THE CHAIR: Mr Speaker, Mr Duckworth and other officers, thank you for your attendance. Questions may be placed on notice by members and given to the committee office. The deadline for that will be close of business on Monday, 5 December.

DR FOSKEY: I don't want to end these hearings on a negative note. The role of these committees is to ask questions where things are not so good. I express my thanks and everyone's thanks for the work you do. Most of it is invisible. That is why we have not commented on it. Invisible means good.

THE CHAIR: Unfortunately all hearings tend to focus on areas where people have issues. This is part of the annual report process. You have recognised that, Mr Speaker.

Mr Speaker: Of course. We subject ourselves to scrutiny in good faith because we expect to be tested on ways this place is managed. That is the nature of this

parliamentary democracy.

The meeting adjourned at 3.25 pm.