



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON ECONOMY AND GENDER
AND ECONOMIC EQUALITY**

(Reference: [Inquiry into annual and financial reports 2020-2021](#))

Members:

**MS L CASTLEY (Chair)
MS S ORR (Deputy Chair)
MR J DAVIS**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 24 FEBRUARY 2022

**Secretary to the committee:
Dr L Kerr (Ph: 620 50136)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 3.46 pm.

Appearances:

Barr, Mr Andrew, Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development, Minister for Tourism

Chief Minister, Treasury and Economic Development Directorate

Leigh, Ms Kathy, Head of Service, Director-General

West, Dr Damian, Deputy Director-General, General Workforce Capability and Governance

Wright, Mr Robert, Executive Group Manager, Corporate

Thompson, Ms Christina, Executive Branch Manager, Professional Standards Unit

THE CHAIR: Good afternoon. Welcome to the third public hearing of the Standing Committee on Economy and Gender and Economic Equality for annual reports 2020-21. Before we begin, on behalf of the committee, I would like to acknowledge that we meet today on the land of the Ngunnawal people. We respect their continuing culture and the contribution they make to the life of this city and this region.

I am sure we are all aware of housekeeping by now. Witnesses, please state that you have read and understood the privilege statement. I remind you of the protections and obligations afforded by parliamentary privilege. The proceedings are being recorded today and transcribed by Hansard. They are also being broadcast and webstreamed live. It would be helpful, when you are taking a question on notice, to please let us know so that the secretary can make note of that.

There will be no opening statements today, so we will proceed to questions. I am going to pass my first question to Ms Lee.

MS LEE: Thank you, Chair. I appreciate it.

Chief Minister, the announcement that was made by the Integrity Commission this morning, and the subsequent edit that was provided by the commissioner this week, talked about the scathing findings of the Auditor-General's report in relation to the Campbell Primary School modernisation project. The commissioner went on to say that, in relation to the Campbell primary procurement alone, there were 13,000 documents that would need to be gone through, and there were some concerns, in the event that there was going to be a big response to the fairly broad call-out, about whether there would be enough resourcing. Do you have any comments on or a response to that?

Mr Barr: If the commission requires additional resources, it will, through the Speaker, put in a business case through the annual budget process. The commission has been provided with additional resources, and I think its annual report highlights that.

MS LEE: The report by the Auditor-General was tabled in the Assembly in December. What are the discussions that you have had with either the Minister for Education and Youth Affairs or within cabinet about those findings? Was that a

surprise to you? They were pretty scathing findings.

Mr Barr: The government will formulate its formal response to the Auditor-General's report, and that will be tabled in due course. I will not comment on the way through. The government's response will be formally tabled in accordance with the requirements of the legislation.

MS LEE: The commissioner stated that his concern was that this could be endemic and that very rarely is this type of conduct a one-off. What do you make of those comments? Is that a concern to you, as the head of this government?

MS ORR: Sorry, Chair; I am going to have to interrupt there. I think it is asking for an opinion. It is also asking for something that has been indicated is going to be under investigation by another party. I think this is a bit premature—plus, I have a lot of questions I would really like to get to.

MS LEE: Chair, to be fair, this is based on evidence, and I think it is right for the Chief Minister to be able to respond.

THE CHAIR: Yes. Thanks, Ms Lee and Ms Orr. I tend to agree. This session is about integrity policy and I believe that it has not kicked off yet. So I will allow Ms Lee to have another supplementary.

MS LEE: After the Chief Minister answers my question.

Mr Barr: Yes. The reason for the establishment of the Integrity Commission was to ensure integrity in public administration. So this is the commission doing its work. It is why the commission was established. There are obviously significant resources applied to the commission and across the public sector to ensure that there is probity in government procurement and public sector activity.

If you are asking, as you have, for commentary in relation to this government, compared to Macquarie Street and compared to what we have witnessed in New South Wales in recent times, I think that this is a government that puts integrity first. It operates with integrity and ensures the structural and organisational capacity for there to be integrity in the public sector. The instruments are in place in legislation and in terms of the Integrity Commission's existence, its remit. Ms Lee, in light of what they have experienced in other jurisdictions, particularly just 300 kilometres up the road, I think that the ACT's public sector and the integrity of the ACT political system stands in marked contrast to a long history of corrupt—

MS LEE: We have only had the Integrity Commission for a little while. Chief Minister, a reference on page 138 of the CMTEEDD report talks about your directorate having reviewed several briefs published by the Integrity Commission, which of course is aimed at strengthening integrity. Can you please provide more details on that: whether there are any changes that your directorate makes to those reports and whether you will publish them?

Mr Barr: I will ask if officials in the room can provide any information in relation to that; otherwise, that question will be taken on notice.

MS LEE: All right. Thank you.

THE CHAIR: Are there any officials able to answer? Thank you.

Mr Wright: I understand and acknowledge the privilege statement. Thank you, Ms Lee. In terms of things that we have done here in Chief Minister's, we have a conflict of interest policy, we have fact sheets, we have advice for our managers and we have instructions on reporting conflict of interest. We also have online conflict of interest information for all recruitment matters that we do here in Chief Minister's. We have fraud and ethical behaviour training, and we had 1,051 staff complete that training in the last financial year.

We also have targeted training that we do, looking at particular areas, because we are, as you know, Ms Lee, a very diverse directorate. We cover everything from Access Canberra to venues, to procurement, to property. We have different needs in those different areas, and we look at that. We work regularly with the ACT Integrity Commission. We look at the communications that they put out, and when we updated our conflict of interest policy, we looked at updating that to reflect those communications that had been put out.

I am also the senior executive responsible for business integrity and risk here in Chief Minister's. That is a role in which I promote fraud awareness and ethical awareness within the organisation. In the last period, I can point to a whole host of communications and education that we put out to staff, raising awareness around fraud and corruption matters. As recently as November, we put out an email, coming from me as SERBIR, regarding deterrents for fraud and corrupt behaviour. We go out and inform about conflict of interest and second jobs. We have also gone out to inform about probity and good governance, which is really important.

We have an internal magazine called *Loop* that goes out to all staff in Chief Minister's, and we ran an article in that about conflict of interest. We had another article in there about fraud prevention and integrity. We give advice that—and this was one of the ones that the ACT Integrity Commission noted—in times like COVID there is rapid change and increased need for good governance in relation to those things, and we put out messaging to our managers regarding managing risk in these fast-changing times.

MS LEE: Just to clarify: you have gone through a very extensive list, but are they actually published by the Integrity Commission or by the directorate? If they are published by the commission, does the directorate make any changes? That was the original question.

Ms Leigh: Ms Lee, while Mr Wright is looking at the relevant section in the annual report that you are referring to, the Integrity Commissioner is like many other bodies that are designed to ensure the good operation of the public service, such as the Ombudsman et cetera. They all put out regular reports, and every time we get one of those we look at it to see how it compares with our current practices, our current guidelines, and we update those to reflect the recommendations. So the briefs that are referred to in the annual report are indeed by the Integrity Commissioner, and when we receive them we run the ruler over our existing guidelines, procedures et cetera, to

see whether there is anything additional that we can add to our guidelines in light of that advice provided by the Integrity Commissioner.

MS LEE: Are you able to provide on notice, Ms Leigh, the difference between what is published and then the ruler that, as you just mentioned, you run over them?

Ms Leigh: Sure.

MS LEE: That would be great. Thank you. I appreciate that.

Ms Leigh: Certainly, we will be able to do that.

MS LEE: Thank you.

MS ORR: Chief Minister, there has been a lot of discussion around skills shortages and the difficulties of getting people into roles. Can we have a bit of an update on the ACT Public Service Graduate Program? Have you seen any difficulties in getting people to apply for and then take up roles in the program, and what is the retention rate of people after the completion of the program?

Mr Barr: Thank you, Ms Orr. Before I hand over to the directorate to outline some of the detail, we have certainly had a deliberate policy to increase our graduate intake. In the annual report period, 72 graduates joined the ACT public service, which was a 70 per cent increase on our graduate intake for the 2020 year. They have been taken in across a variety of directorates, and they represent people from a diversity of backgrounds. It is, I think, important, that our ACT public service reflects the community that it serves. With that, I will invite officials to talk you through some of the detail of it.

MS ORR: Thank you.

Ms Leigh: Thanks, Chief Minister. I would just like to make some introductory comments and then I will hand over to Dr West. I am delighted that our graduate program has gone from strength to strength each year. As the Chief Minister said, in the last year in particular it had a real boost, and that was partly in response to some of the changes in the community in the context of COVID. More generally, every year we have strengthened our graduate program. I am delighted to say that we get many, many more applications than we can possibly employ, even though we do take on more graduates every year. It is a very cost-effective way to bring strong performers into our service. We get a real boost to our staffing across the service every year when we take on board our graduates and they add real value to our service. I am delighted that we are seen as a desirable employer for graduates. I will hand over to Dr West.

Dr West: I, too, acknowledge the privilege statement. As mentioned by the Chief Minister and Ms Leigh, we have seen significant growth in the size of the graduate program over the last 24 months. That is correlated with a targeted investment and a dedicated focus on the program. Pleasingly, not only have those numbers increased but our retention rates have been very, very high—in the high 90s across both periods. Diversity rates remain very high. In 2021, 65 per cent of our candidates identified with one of our diversity groups, so we are getting a very good blend of people

looking to join the service.

We retained, this year, a very high number of applications—close to 1,000 completed applications. The process was conducted all online. We were able to offer a large number of positions and we had great acceptance rates. So the program continues to build. Of great insight to us, and somewhat as a surprise, the program was recognised as one of the top graduate programs in the country this year, for the first time cracking into the top 100 of graduate programs nationwide. That is based on the comments and reflections of the graduates themselves, not the bureaucrats behind the program. So that is great recognition of the nature of the program, the work that we ask them to do, the support that we provide them and, I guess, the community spirit and the cohort that we try to nurture.

As I mentioned, the program this year has gone on and continues to be holding at significantly higher numbers, which is great. This year, through COVID, obviously the applications were a lot higher from local areas, which is great. Normally we have a pretty even spread between local applicants and interstate applicants. This year, I think impacted by COVID, we certainly saw a higher number from our local areas looking to join the ACT public service.

I think that has also been supported by other campaigns we have had publicly, supporting how we work and the flexibility around where we work and the types of ways in which we want to work. When we have spoken with graduates, on joining us, what appealed to them was the nature of the work, the proximity to community and the flexibility we are affording to graduates, as well as the employment conditions that we are offering to them. So we think the program is in a good position and we are looking to grow and expand it in the coming years. Thank you.

MS ORR: Dr West, just also on that one: regarding the retention rate of people once the program is complete, what sorts of trends are you seeing in that?

Dr West: I will have to take on notice the precise retention rate. I think last year we only lost four graduates through the year. Interestingly enough, three of those were promoted to higher office, so they were promoted out of the program, and I think two decided to return home interstate. But I will confirm those numbers for you.

MS ORR: With the extra intake in this last year, the 72 graduates, whereabouts into the public service are you seeing those graduates go? Are they focused on one particular area or are they across the public service?

Dr West: No; it has been across the public service. We have had a dedicated conversation and a deep conversation with all of the directorates around futureproofing their workforce and bringing people into these entry level roles. It has been everything from engineers to accountants, health professionals, lawyers, finance operators, industrial people, HR. So it is a really broad remit. We do a lot of work to match skills with roles that are available and to put people into genuine roles, seeking a genuine contribution immediately as they start.

MS ORR: Dr West—or Ms Leigh—can you give us an update for the next intake and what your current thinking is around the next intake of graduates?

Dr West: Yes. We will continue to push forward with growing the program, ensuring that we are meeting the needs of directorates, thinking about where our workforce challenges are, and potentially thinking forward into where we see skills shortages emerging and how we would like to provide a pipeline of talent. Certainly, through the current intake, the intake this year, where we have again landed on around the 70 mark, we have been able to place all of those graduates into jobs and into areas of critical need.

A lot of the strategic planning that is going on behind the scenes with directorates is to identify where we are best placed to grow talent, where the greatest demands are coming from and, thinking forward, where are the parts of our engagement with the community where we really need to bolster our capability and build a base, if you like, as an intake program to set people up for long careers in the ACT public service.

Late last year and then early this year we had the finalisation of the intake from last year. The feedback from participants about being able to work on real pieces of work that relate to their community and to see the outcomes was nothing short of stunning. Certainly, the intention of the group that have just started, who did their induction only a few weeks ago, was that connection, the real connection to community and the ability to make a difference from day one. They are a very keen, motivated group of people and we hope that they go on to have great careers in the ACT public service.

MS LEE: Do you have targets for graduate programs to recruit a diverse range of graduates, including graduates from an Aboriginal or Torres Strait Islander background or those with a disability and so on?

Dr West: Thank you, Ms Lee. We have not set specific targets. Through our programs we are very much aware that we are seeing very high diversity numbers. Regarding people identifying with any of our diversity indicators, we have seen great applicant numbers. Using the recruitment process that we focused on, we have really looked at the candidate, not necessarily at whether or not they identify as having a disability or otherwise, and put them through the assessment centre. As I said, through the way we have done that and the model we have used, we have actually grown the number of people who identify as being from our diversity groups.

The one challenge in that space is around Aboriginal and Torres Strait Islander graduates. That remains a challenge for us, and we are considering, outside of the graduate program, how we can supplement other programs. We are working with local institutions around what that is that we can do. We are not alone there. We have spoken a lot with other jurisdictions around how the public service can attract Aboriginals and Torres Strait Islanders to their workforces. It is a challenge for all jurisdictions, but we continue to look at ways of progressing that to grow those numbers.

THE CHAIR: I am just wondering if you can give us the figures on the most recent intake. What percentage of graduates did identify as Aboriginal or Torres Strait Islander or people with a disability? Do you have those figures?

Mr Barr: Yes. I can assist there. I have got them in front of me. For Aboriginals and

Torres Strait Islanders it is one of 72, so that would be 1.5 per cent. For people with disability it is 13 of 72, so that is a very high proportion—nearly 20 per cent. For culturally and linguistically diverse it is 18 of 72. For LGBTIQ it is 13 of 72. For former ADF members, veterans, it is two of 72, so about three per cent there. Some people may identify in more than one category. It is possible to be LGBTI and culturally and linguistically diverse, as it is possible to be LGBTI and have a disability, or be a former ADF member, or indeed be Aboriginal or Torres Strait Islander. Across all of those categories it is a very diverse group: 65 per cent of the graduates identified with one or more of the diversity groups.

THE CHAIR: Thank you.

MR DAVIS: Chief Minister, I draw your attention to the Sexual Assault Prevention and Response Steering Committee report, in particular recommendation 21. That recommendation calls on the ACT government to review enterprise bargaining agreements in the ACT public service, in consultation with affected trade unions. It says:

- (1) To ensure workplaces can respond effectively to allegations of sexual harassment and assault; and
- (2) to develop appropriate EBA clauses to give effect to the respect at work recommendations.

I know that report is relatively new, but I would just like an update on what work has been commenced so far on enacting those recommendations and how we have been proactively entering that space.

Mr Barr: Thank you for the question, Mr Davis. I will invite officials to provide that update.

Dr West: Thank you, Mr Davis. As you might be aware, we had commenced bargaining last year—our bargaining round—but, due to the onset of COVID, the government took the decision to have an abridged bargaining round, which was concluded only early this year. So the majority of agreements were quickly renegotiated and went to vote and were voted up, with limited changes to what was in the terms of those agreements.

This week we issued the notice to commence bargaining again and we will be moving, from this point forward, into a full bargaining round across, I think, all 18 agreements. The opportunity will exist within the bargaining round to pick up the report you have mentioned and to think about clauses that might be entered into and put into our agreements as we go forward. But we have just started bargaining, as I mentioned. We have just issued the notice of employee representative rights and contacted unions as well to let them know that bargaining is about to begin. We are at the very beginning of this journey. This will be a full round, so we will be able to give due consideration to that report and others on this topic.

MR DAVIS: Thank you. Some of this work, I imagine, could commence separate to, or parallel to, enterprise bargaining agreements, in particular on that recommendation point (1), to ensure that workplaces can respond effectively to allegations of sexual

harassment and assault. Has any of that work commenced separate to the EBA negotiations that you will be able to update us on?

Dr West: I will take that again. In terms of allegations of sexual assault or other harassment in the workplace, we have well-constructed pathways where employees can raise those concerns through their directorates, where they can be followed through and an assessment undertaken and, if necessary, referred for a formal investigation. So the pathway for raising those concerns is well developed and well established. I think what we will be doing into the future, in responding to that report, either through annual reports and reporting on instances there, or through the EBA, will be to strengthen the overall framework and to provide provisions, potentially, to support individuals who are a victim of assault or sexual assault or otherwise. Thank you.

MR DAVIS: Thank you.

THE CHAIR: I have a question, while we are on harassment, just as a supplementary to Mr Davis's question. I notice that reports of harassment have increased by 75 per cent since 2018-19, from 356 to 623. Can you give us a bit of insight into why they have increased so dramatically since then?

Dr West: Thank you, Ms Castley. I think it is important to know that the number 623 is a combination of all of the possible reporting mechanisms. So one instance could be reported multiple times. What I can tell you is that only 12 of those instances made their way through to a formal investigation, where they were referred to the Profession Standards Unit for formal investigation. The remaining of those were resolved within the directorates, indicating to us that the local level responses in that process were ultimately quite timely and, hopefully, quite effective.

I think in the reporting year that we are talking about, of those 12, only six referred to alleged sexual harassment, six investigations only, and I believe they are still ongoing. I might seek clarification from Ms Thompson about that information.

MS LEE: Just before we proceed, Chair, can I ask a clarifying question? In the beginning of your answer you said that, in response to the fact that the numbers have gone up to 623, there could be some multiples. It is a direct comparison to the previous figure of 356. Was the same indicator used? I just want to make sure we are comparing like for like and not comparing apples to oranges.

Dr West: I will need to take that one on notice, Ms Lee.

MS LEE: Thank you.

THE CHAIR: Thank you. I will make a note of that.

MS LEE: I think the chair is waiting on Ms Thompson to provide further—

THE CHAIR: Yes, please.

Ms Thompson: Thank you. I have read the privilege statement and abide by it. I do

not actually have the information as to whether those particular matters have been finalised or not, but we can take that on notice.

THE CHAIR: There were six that were sexual harassment, you said. What were the other six?

Dr West: I will have to take that on notice. I do not have the specifics with me.

THE CHAIR: As to the number of misconduct cases referred from PSU, what discussions have there been between directorate and leadership teams to find solutions to the increases? Last financial year it went from 65 up to 92. I am just wondering, with that particular issue, why the increase and—

Ms Leigh: I am sorry, Ms Castley, but you are breaking up a lot and it is hard for us to follow.

THE CHAIR: Just let me get rid of my video. It is page 38. I have gone from harassment to misconduct, though it is all sort of the same with the Professional Standards Unit. It says that there was an increase of 42 per cent on the previous financial year. What are these misconduct cases and why do you believe there has been such an increase?

Dr West: I can start there and Ms Thompson might step in. The majority of the increase over the two reporting periods relates to a change in process where the PSU—the Professional Standards Unit—took on the admission statement process. Effectively, this was a process where an employee acknowledged that they had acted in a way that was in conflict with the behaviours that we expect.

That admission statement process was traditionally done within directorates. What we have done is centralised that to be completed within the Professional Standards Unit so that procedurally we follow a consistent process and we have a standardised set of responses, to ensure consistency through the system. So the significant increase relates directly to the fact that we have centralised that function. I will ask Ms Thompson to add any other comment, if she would like to.

Ms Thompson: Thank you; yes. On its own, the statistic of an increase in numbers means nothing more than more workload for the team, because we could have a number of people referred with a single matter. It may indicate that there were a number of respondents in any one particular matter, so it indicates more workload but not necessarily more occurrences, and that certainly was the case during the past financial year.

THE CHAIR: Just so that I am clear: of the 92 reports, that could be, say, a certain number of actual misconduct occasions but multiple people reporting on the same thing?

Ms Thompson: Rather, it could be the single situation, but a person has reported on multiple people from that situation. That would be the respondents who have to answer for that situation, based on a complainant coming forward, and they would each be individually referred to as a matter, which increases the number of matters.

THE CHAIR: Right. Thank you.

MS LEE: My substantive relates to the things that we are talking about now. Can I ask a clarifying question, just so that I have got this correct? I think earlier there was a reference to 12 reports and six of them being sexual harassment, and you took on notice what the other six might be. Is that the same 12 that are referred to in terms of allegations of fraud and corruption on page 138, or is that a different 12?

Ms Leigh: Page 138, which I think you are referring to, is in the CMTEDD annual report.

MS LEE: Yes.

Ms Leigh: Whereas this number is in the *State of the Service Report*, which covers the whole of the service, not just CMTEDD.

MS LEE: Got it. Thank you very much for the clarification. My question is about the number that is referred to in the CMTEDD report, page 138. It says that the senior executive responsible for business integrity received 12 allegations of fraud and corruption, six matters received that did not relate to CMTEDD staff and six that did. Do you have information on the six that did not relate to CMTEDD staff and where they are from?

Mr Wright: Thank you, Ms Lee, for your question. We do not normally go into the individual matters. When I say, in the report here, that those matters relate to people who were not CMTEDD staff, that might be allegations in relation to organisations that do business with CMTEDD or it might be staff in other directorates.

MS LEE: Do you have a breakdown of that stat?

Mr Wright: I do not have a breakdown of that stat, Ms Lee.

MS LEE: Is that something that you can provide on notice?

Mr Wright: I would not like to provide that one on notice, Ms Lee, because the numbers we are talking about make the individual cases identifiable.

MS LEE: Not even by way of external to the ACT public service or, for example, the Education Directorate?

Mr Wright: I am happy to take that on notice, Ms Lee, and take a look at what the stats bear out there.

MS LEE: Thank you. If you read all the way down, it actually looks like all 12 matters were subject to mandatory reporting to the Integrity Commission. Is that right?

Mr Wright: That is correct, Ms Lee.

MS LEE: The very last couple of sentences talk about the different breakdowns of what the result has been for some of those. Do we know what the status is of the investigations as yet? Have any been completed—the investigations by the Public Sector Investigations Unit?

Mr Wright: Apologies, Ms Lee; I would need to take that on notice.

MS LEE: No worries. Thank you. In terms of the matters that were referred to the Integrity Commission—which, obviously, is all of them—have you received confirmation from the Integrity Commission that some of them have now been dismissed completely, so they are now dealt with?

Mr Wright: In relation to Integrity Commission matters, Ms Lee, that would be something that you would need to talk to the ACT Integrity Commission about.

MS LEE: Yes. That is why my question was: have you received any word to say that they have been dismissed and they are not dealing with it anymore?

Mr Wright: In relation to those matters, Ms Lee, I have not received notification that they have been dismissed at this time.

MS LEE: No worries. Okay. In terms of the 12 in that reporting period, how does that compare to the previous reporting period?

Dr West: I would need to take that on notice, Ms Lee.

MS LEE: Thank you very much.

THE CHAIR: I would like to chat about contracting, in the 2021 budget outlook, the expense labelled “Supplies and services”. This is a range of costs, including supplies, repairs, maintenance and payments to ACT Policing. It also includes spending on contractors and consultants, but the cost is not broken down in either the budget or the annual report. I am just wondering if you can tell me: how much has the ACT public service spent on contracting in this last reporting period and how much was spent on consultants?

Mr Barr: We may need to take that on notice.

Ms Leigh: Yes, if we could do that, please. That would be helpful.

THE CHAIR: Okay. Take that one on notice. Fantastic. Thank you.

MS ORR: I just want to refer to the gender pay gap reporting that is in the *State of the Service Report*. I note that, overall, it is at a record low of 0.8 per cent, but when we look at the breakdown of the data that is available in the report it does start to paint a more detailed picture. Can you give us an update on how the ACT public service plans to continue to narrow this gap, particularly in the areas where you drilled down, where it is actually a bit larger than we would perhaps like it to be?

Ms Leigh: Thanks, Ms Orr. I would first like to note that we are very pleased that,

while there is further work to be done, we do have a very small gender pay gap, both when compared to the general ACT workforce and even more when compared to the whole of the Australian workforce. But, as you say, we want to continue to take further action to remove that in every way that we can.

Dr West: I will just expand further. I think the trend line is very positive for the ACT, and I think we can see in the *State of the Service Report* the outcomes that we are achieving. There is further work to do. Work underway includes the development of the gender equity strategy. We will do more work with our annual report directions, in terms of reporting on gender action plans across directorates and the work that all directorates are undertaking to minimise the risk of gender inequity. Where we look at external programs, such as the Secure Local Jobs Code and its application, we are looking at targets for women in construction and other industries, and further work is ongoing in that space.

We have been doing a lot of work through education and training. Through our SBS suite of inclusion activities, some 3,000 staff have gone through training on unconscious bias, inclusivity at work and creating a workplace that encourages greater representation and retention. We are also working with CSD, through the work that they are undertaking on wellbeing impact assessments. Importantly, other parts of the service continue to do some fantastic work. Major Projects Canberra is working hard in thinking about roles for women in that particular industry, which has always been a challenge. We have got particular programs to deal with firefighters and our recruitment there; the recruitment of corrections staff; and, as I mentioned, recruitment in the construction industry.

It is a multipronged approach to reducing this. As we go forward, we will continue to dive into the data further to understand, where there are gaps remaining, what is the driver of that. When we look at that data, probably the two outliers are industries or areas that have had longstanding challenges. I think we are seeing movement in the right direction, and I think that they will see better results in the years to come.

MS ORR: When you look down at the directorate-by-directorate data in the report, it does start to paint quite a different view across those directorates. How are you using that data to inform ways to improve those areas and to decrease the gaps in those areas where it is quite high? You made reference to Major Projects, but I think there were some other directorates in there as well that showed a bit of a gender pay gap that is against the overall trend of the public service.

Dr West: Yes. At a global level, Major Projects and CHS probably were the two outliers. I think that, in part, that reflects the long history and nature of those industries. Part of having those dedicated strategies and actions is to overcome those challenges and any barriers. Part of working with directorates and asking directorates to report in their annual reports on the dedicated action is to ensure that that activity occurs, that we can evaluate it and monitor it over time, as well as that broader educative piece to make sure that any bias or any challenge is well understood and we can look to resolve it.

In some of these areas, the programs will take time to come into effect. Other things that are working in our favour and that we have spoken about in other forums are the

employment conditions that we offer and ensuring that our employment arrangements are as flexible as possible so that they attract and retain women, in particular, in these industries. That is an important part of our value proposition as an employer. Thank you, Ms Orr.

MS ORR: Great. Thank you.

Ms Leigh: Madam Chair, one cameo that gives you an indication of how we have really tried to think through what the issues are and be innovative in how we attract women to areas that might be predominantly male, and perhaps be perceived to be that way and therefore discourage people from applying, is if you look at the work we did with our furies. We had a really wonderfully innovative program there of try before you buy: “Just come out, hold a hose, see what it is like and see that you can do it.” We put posters up in gyms. We thought about where we would find women who would be attracted to that type of employment and how to encourage them to see themselves in that role. That is just one little cameo that gives you an indication that we have really tried to cut through and look at particular areas to come up with innovative ways of challenging some of those stereotypes that might hold people back.

MS ORR: Okay. Great. Thank you.

MR DAVIS: I was interested to see that just over half of ACT public service employees consider that their directorate or organisation promotes innovation and creativity, which was a surprisingly low figure, from my read. Why do you think that is and what do you think that we could or should do to improve that?

Mr Barr: Do you want an answer from me or from the officials?

MR DAVIS: I am happy with whoever would like to answer it.

Mr Barr: I might throw to the officials on this one, as they are more directly in charge of the workplace.

MR DAVIS: Thank you.

Ms Leigh: Thank you, Chief Minister. Mr Davis, I think that we are an extraordinarily innovative service. Innovation is one of our four core values, and you just have to look at the way the service has stepped up through COVID. Perhaps it is just that it is so ingrained in our service that people do not immediately recognise it. I think it is an interesting question. Certainly, I am determined to continue to promote an attitude to all aspects of the service that is identifying new ways to do things, better ways to achieve the objectives of the government, more effective ways, and to continue to improve our service to the community. So that would be my response to your question.

MR DAVIS: Okay. I just do not know where to go to from that. I will be completely frank, Ms Leigh. My instinctive reaction is that that is kind of an uninspiring answer, but only on the basis that, if more than half of public service officials do not think that the organisation provides innovation and creativity, that is a huge proportion of the workforce. I am not sure that, “It is so ingrained that they do not recognise it,” quite

accepts the severity of that many people having that reflection on their workplace.

Ms Leigh: Mr Davis, I can assure you that I am determined to raise that number by the time we do our next survey.

MR DAVIS: All right. We will see then. Thank you.

MS LEE: I want to ask a few questions about the fraud risk assessment, incorporating the fraud risk register. You say that the plan and the register are externally reviewed every two years, and the last one was done in early 2021. Who does the external review and how is the external reviewer identified or selected?

Dr West: Thanks, Ms Lee. We go out to panels to select an external organisation to come through and do that. Our CMTEDD fraud and corruption plan was endorsed by the director-general on 3 August 2021, which included an updated fraud risk assessment. We also have an updated conflict of interest policy, which was endorsed by the director-general on 28 July 2021.

MS LEE: In terms of the risk assessment, do you do internal reviews as well, in between the external reviews?

Dr West: We do. We have a strong assessment policy there. We also work through our audit and risk committee, which has an external chair and an external deputy, and we work with them around matters pertaining to fraud and corruption. As SERBIR, I come and give them a report at each of our meetings and I provide my SERBIR update to them.

MS LEE: Is that done on a regular, time-based basis, or does it happen, for example, when a certain issue might be identified?

Mr Wright: No, it is every general meeting of that audit and risk committee. We have audit and risk committees which are devoted to financial matters and then we have general meetings. Every general meeting, which is four times a year, I present a SERBIR report to the committee.

MS LEE: You previously, I think in your very first answer, helpfully gave a very extensive outline of some of the issues or concerns that may arise, including conflict of interest and the like. Have there been any cases of people signing off—

Dr West: Sorry, Ms Lee, you broke up just at the moment you were asking that question.

MS LEE: Yes, sorry. Have there been any cases where there have been instances of public servants signing off outside of their proper delegations?

Dr West: I am not aware of any specific matters. We have our audits that we do for the organisation and we also have compliance checks that we do for the organisation. In doing that, we go through and look at whether people are setting their delegations at the right level, meeting those. We also have delegations available to our staff through our intranet and we work through that. We have also got a banner, Ms Lee, on

our intranet page, which links people to fraud and ethical awareness, and we did a campaign before we moved into the COVID period.

One of the things about doing all the governance things, as you will appreciate, Ms Lee, is that—and I will give a nod to Mr Davis—you need to make them engaging and innovative. In doing that, we had a campaign which was designed to be engaging, and we had a series of “be like” campaigns. So we would say, “Be like Robert and make sure that you have the right delegation for the work that you are doing.” Or we would say, “Make sure that you are compliant with a particular policy.” It was really engaging, Ms Lee, and we got really good feedback on that. It is about, as Mr Davis alluded to, ways of finding engagement and innovation in all the things that we do, even the things that at face value may not seem as exciting as the others.

MS LEE: On the topic of very engaging and innovative training, is the training provided to certain levels or positions in the public service?

Dr West: Our e-learning has been particularly successful, and moving into COVID it was one of the things that stood us in good stead. We have our fraud and ethical behaviour training, and that is our baseline training for all our CMTEDD staff. That is a significant body of training and we get all our staff to go through and complete that. That is everybody from the most junior staff member in the organisation right through to the senior executive.

We also have our induction training, which also goes towards matters of fraud and the like, but fraud and ethical awareness is the one which we have for all our staff. At that targeted level—and I touched on this before, Ms Lee—we go out and talk with our senior executive leadership group and ask them where they would like my fraud and corruption policy team to go around and talk about matters pertinent to their business unit, because it is not a one size fits all. In doing that, we get really good feedback from that training.

MS LEE: Finally, is that training done regularly or is it a one-off?

Dr West: We do a mixture. If there are particular things coming up, we will go and engage with that business unit in relation to that. And then we get requests. So it is a bit of a mixture, Ms Lee.

MS LEE: Okay. Thank you.

MR DAVIS: Just a quick one. On page 35 it indicates that some JACS employees were supported to participate in training run by A Gender Agenda, called Understanding Sex and Gender Diversity, and then also took part in some webinars hosted by Diversity Council Australia. Are there any intentions to roll out similar training across other directorates and across the workforce more broadly?

Dr West: I will take that question; thank you. We are looking to expand the rollout of our e-learning suite of training materials. Whilst, in the current period, we are focused on unconscious bias and also on working with Aboriginal and Torres Strait Islander staff, looking at ensuring that we are creating culturally safe workplaces, we are looking to expand that suite of work to include a broader cultural diversity suite:

gender, age, disability and appropriate workplace behaviour. That will also include a suite of learning content for LGBTIQ+, which will pull in all that information from that learning series. That is a very, very well put together program, well recognised. We will be rolling that out for the whole service.

In regard to the specific program, I do not think there is an intention at the moment to go broader, at a whole-of-government level, although directorates are able to pick up and run programs as they choose, individually.

MR DAVIS: Okay. Can I just ask one more, then, in the last minute that we have got. Particularly in the instance of A Gender Agenda, it makes me think: in our training suite are we prioritising local, Canberra-based trainers when it comes to developing and subsequently delivering this training? Or are we looking for best in show? How do we balance that difference between sourcing locally but also making sure that we are getting the best training?

Mr Barr: The two are not mutually exclusive. But I will let the officials answer.

MR DAVIS: I would not want to suggest that, Chief Minister. Do not take that from my comments, please.

Mr Barr: No. Just pointing it out.

Dr West: I will answer the first part and then others might join in. Certainly, with the SBS inclusion suite, when we look at value for money, reach, quality and the contemporary nature in which it is delivered, it is unparalleled. In terms of making the most for our spend, we see that not only is that e-learning program already delivering results, with the many thousands of staff who have completed these modules, but the expanded program will provide value for money and, I think, a good return on that learning investment dollar. In terms of individual directorate responses, I will leave that assessment up to individual directorates, but Mr Wright might have views on the CMTEDD program.

Mr Wright: Thank you, Mr Davis. In CMTEDD, we develop—and I am sure the Chief Minister will be very pleased to hear this—our e-learning in-house. That is all developed within the organisation and tailored to the organisation. That has been very successful. We are very lucky with the capability of our staff, who are able to develop that training using the tools and resources that we have here within the directorate.

Mr Barr: That is peak creativity and innovation, is it not?

Mr Wright: Indeed, Chief Minister.

THE CHAIR: Thank you. Just in the last minute, I will not go to my question; I am just going to add to something that is being taken as a question on notice with regard to the misconduct investigations. Can you also provide us with the breakdown of the public service levels of the people being investigated for misconduct?

Ms Leigh: Ms Castley, we will take on notice to see what we can provide, because, as Mr Wright mentioned earlier, we need to be careful about whether that leads to the

identification of individuals. We will take it on notice, with the best intention to deliver what you requested.

THE CHAIR: Thank you. We are happy with no names. I am obviously keen to understand the levels.

On behalf of the committee, I would like to thank the Chief Minister and officials from CMTEDD for your attendance today. There have been quite a number of questions taken on notice, so please provide those answers to the committee secretariat within five working days.

The hearing for today is now adjourned. We will reconvene on Tuesday, 1 March, at 3.45 pm. Thank you.

The committee adjourned at 4.45 pm.