



PARLIAMENT OF AUSTRALIA • THE SENATE

SENATOR THE HON. BRIDGET MCKENZIE

Shadow Minister for Infrastructure, Transport and Regional Development

Leader of the Nationals in the Senate

Senator for Victoria

6 February 2023

Mr Peter Woolcott AO
Australian Public Service Commissioner
GPO Box 3176
CANBERRA ACT 2601

Via email [REDACTED]

Dear Mr Woolcott,

I write with regard to the conduct of the Albanese Government's proposed referendum to change the Commonwealth of Australia Constitution to incorporate an Aboriginal and Torres Strait Islander Voice to Parliament.

In accordance with the Public Service Act 1999 and as stipulated in the APS Values, the Australian public service is *impartial*, which means the APS is *apolitical*.

The APS Code of Conduct requires APS staff to *at all times behave in a way that upholds the APS Values and the integrity and good reputation of the employee's agency and the APS*.

While it is the policy of the Government to conduct a referendum, it would not be appropriate for APS employees when acting in connection with APS employment, to campaign in favour (or against) the referendum question.

A general search of the Australian Public Service Commission's website has failed to identify a relevant circular or guidance for APS employees in relation to their conduct, impartiality and with regard to use of APS time and resources.

Are you able to confirm the APS Values of impartiality and thus, the requirement to be apolitical, apply to APS employees prior to and during the conduct of the proposed referendum campaign? Further, is it your intention to issue guidance to agency heads and APS employees regarding their appropriate conduct under the APS Values and Code of Conduct prior to and during the referendum campaign?

Thank you for your consideration of this matter.

Yours sincerely [REDACTED]

Senator the Hon. Bridget McKenzie
[REDACTED]



Australian Government
Australian Public Service Commission

AUSTRALIAN PUBLIC SERVICE COMMISSIONER

EC23-000074

Senator the Hon Bridget McKenzie
Shadow Minister for Infrastructure, Transport and Regional Development
Leader of the Nationals in the Senate
Senator for Victoria

By email: senator.mckenzie@aph.gov.au

Dear Senator

Thank you for your letter dated 6 February 2023 regarding the Referendum on Constitutional Recognition of Aboriginal and Torres Strait Islander People.

On 28 February 2023, I wrote jointly with Professor Glyn Davis AC, Secretary of the Department of the Prime Minister and Cabinet, to all APS Secretaries and agency heads to remind them of their obligations to safeguard the integrity of the APS and support their employees in the lead-up to the referendum. I have attached that letter for your information.

As well, the National Indigenous Australians Agency, in consultation with the Australian Public Service Commission and the Department of the Prime Minister and Cabinet, is developing further support material for its staff, including frequently asked questions. These resources will be circulated in the coming weeks to APS agency heads and Chief Operating Officers as an exemplar that can be tailored to each agency's needs.

I have issued guidance regarding the proper balance of APS employees' rights as Australian citizens with the obligations of public service in the *APS Values and Code of Conduct in Practice* (Section 6: Employees as citizens) and *Social Media: Guidance for APS employees and agencies*.

I will consider the need for any further guidance as the national conversation on the referendum unfolds.

Yours sincerely

A large black rectangular redaction box covering the signature of Peter Woolcott AO.

Peter Woolcott AO
6 March 2023



Australian Government
Australian Public Service Commission



Australian Government
Department of the Prime Minister and Cabinet

28 February 2023

Referendum on Constitutional Recognition of Aboriginal and Torres Strait Islander People

Dear Secretaries and Agency Heads

Across the Australian Public Service (APS), public servants are providing support to the Government to implement a referendum to recognise Aboriginal and Torres Strait Islander People in the Australian Constitution.

It is timely to remind ourselves, as leaders of the APS, of our obligations to both build continued confidence in the integrity of the APS; and ensure the wellbeing of all of our employees.

The APS is entrusted by the Government and the Australian community to undertake important work and plays an integral role in supporting and delivering Government policy. As public servants, we are all obligated to support the Government of the day, work with impartiality and ensure a safe workplace for all employees.

The upcoming referendum is an opportune time to remind our employees of their ongoing obligations to continue to behave impartially in connection with their employment, and to uphold the good reputation of their agency and the APS at all times.

The Australian Public Service Commission provides guidance to staff, through existing publications such as the [APS Values and Code in Practice Guide](#), and the [Social Media Guide](#) and the Ethics Advisory Service, to assist them in this regard. The Commission will also engage with the Chief Operating Officers Committee to remind them of this guidance.

During this important national conversation, which is already underway, we understand that some of our staff, particularly our First Nations colleagues, may find some of the commentary and public debate distressing. We all have a duty and responsibility to ensure all APS workplaces are psychologically and culturally safe.

Wherever possible, we should encourage staff who are experiencing any negative effects or distress during this time, to engage with employee support mechanisms including Employee Assistance Programs, staff employee networks such as the Indigenous Employee Network, Indigenous Champions and Indigenous Liaison Officers.

The referendum will be a significant event for Australia and its people. In its lead-up, we have confidence you will safeguard employees' well-being and the institutional integrity of the APS.

Peter Woolcott AO
Australian Public Service Commissioner

Professor Glyn Davis AC
Secretary
Department of the Prime Minister
and Cabinet