

Estimates Opening Statement

The Australian Public Service Commission has been working closely with Secretaries Board and the Minister for the Public Service on strengthening the integrity of the APS.

I would like to share with the Committee some of the work the Commission is currently undertaking in line with its statutory responsibilities. My colleagues and I take our responsibilities seriously.

The conduct of senior APS leaders and employees is an issue of heightened public interest.

It is a matter of public record that there are active inquiries underway that rely on the Commissioner's statutory powers. It is critical – to both good decision-making and the public's continued confidence in the integrity of the APS – that those inquiries are conducted fairly and according to proper process, including the provision of natural justice. I would like to assure the Parliament and the public that I believe this is the case.

It is not appropriate to provide commentary on individual inquiries, including details of specific allegations, lines of inquiry, projected timeframes, or likely outcomes. Such commentary may disclose sensitive personal information, prejudice those processes or jeopardise outcomes, inadvertently undermine the effectiveness of future code inquiries, or potentially affect inquiries conducted by other integrity agencies.

In terms of code of conduct investigations following from the Robodebt Royal Commission, the Public Service Commission has stated that 16 referrals have been made. The referrals include current and former APS employees and former agency heads. In terms of process, I can update the Committee that investigations have started for all referrals and that around half have proceeded to the issue of notices, which outline the grounds and categories for potential breach of code.

It is a matter of public record that I initiated an inquiry into alleged breach of the code of conduct by Mr Michael Pezzullo AO under s41(2)(m) of the Public Service Act. The Commission has confirmed that Ms Lynelle Briggs AO is conducting the review based on my inquiry powers as Commissioner and will provide a report to me on whether the code has been breached and, if so, possible sanctions. As required by the Public Service Act, I will then provide a report to the Prime Minister.

The Commission has some other breach of code inquiries of senior officials underway. All together (including Robodebt), the Commission currently has around 2 dozen formal investigations underway, which is well above the couple or so a year that has been the norm in recent years. This is in addition to the

code of conduct inquiries that heads of agencies conduct into current and former APS officers in their own agencies (excluding Robodebt). While there is significant public interest in some of the inquiries underway, it is important that commentary around them does not undermine other inquiries.

The inquiries underway reflect the expectation of the Australian people, the Government and indeed the public service itself that public servants meet professional standards and all the requirements set out in the Public Service Act. They give leaders of the public service insight into where institutions and people are vulnerable to failure, and how the APS can be more resilient and effective in its service to the Government, Parliament and Australian public.

In this light, I would like to highlight key elements of public sector reform that help foster a pro-integrity culture across the APS, many of which are the Government's public sector reform priorities and have been overseen by Secretaries Board. These include:

- establishment of the National Anti-Corruption Commission
- reform of Public Interest Disclosure laws
- the intention to add stewardship as a value for the public service and extend APS values to the Australian Government public sector as appropriate
- greater transparency measures, including Secretary Board communiques, APS Census results and action plans, and expanded Trust survey data
- strengthening the Senior Executive Service performance framework to standardise expectations about delivery and behaviour across the APS
- strengthening proactive talent management of SES and greater openness in SES and agency head recruitment
- strengthening training on integrity, fraud and corruption prevention, psychological safety in the workplace, and Executive Level and SES leadership training, overseen by the APS Academy
- initiating a review of Public Sector Board appointments
- a roadmap for strengthening pro-integrity culture within the APS, and
- supporting the Government's response to the recommendations of the Robodebt Royal Commission.

I trust that these steps give the Parliament and the public confidence in the integrity of the public service.

Thank you.

Gordon de Brouwer
Australian Public Service Commissioner
24 October 2023