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**SENATE FINANCE AND PUBLIC ADMINISTRATION  
LEGISLATION COMMITTEE  
INQUIRY INTO THE OPERATION AND MANAGEMENT  
OF THE DEPARTMENT OF PARLIAMENTARY SERVICES**

**The committee met at 8.34 am.**

**KIRKWOOD, MR JEREMY**, Organiser, Community and Public Sector Union  
**VINCENT-PIETSCH, MS BETH**, Deputy Secretary, Community and Public Sector Union  
**O’SULLIVAN, MR FRANK**, Delegate, Hansard

**THE CHAIR:** I declare open this public hearing of the Senate Finance and Public Administration Legislation Committee for its Inquiry into the Operation and Management of the Department of Parliamentary Services.

This is a public hearing, and a Hansard transcript of the proceedings is being made.

Before the committee starts taking evidence, I remind all witnesses that in giving evidence to the committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee and such action may be treated by the senate as a contempt. It is also a contempt to give false or misleading evidence to a committee.

In addition, if the committee has reason to believe that evidence about to be given may reflect adversely on a person, the committee may also direct that the evidence be heard in private session.

The committee prefers all evidence to be given in public, but under the senate’s resolutions witnesses have the right to request to be heard in private session. It is important that witnesses give the committee notice if they intend to ask to give evidence in camera.

If a witness objects to answering a question, the witness should state the ground upon which the objection is taken and the committee will determine whether it will insist on an answer, having regard to the ground which is claimed. If the committee determines to insist on an answer, a witness may request that the answer be given in camera. Such a request may, of course, also be made at any other time.

I note that the committee has fixed midday on Tuesday 22 June 2021, as the date for the return of answers to questions taken on notice. And I remind witnesses that mobile phones should be switched off or turned to silent.

On behalf of the committee I would like to thank all witnesses appearing today for their cooperation with this inquiry.

And I now welcome representatives from the Community and Public Sector Union.

For the Hansard record will you each please state your full names, and the capacity in

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which you appear today?

**Mr Kirkwood:** Mr Jeremy Kirkwood. I am an organiser from the Community and Public Sector Union.

**THE CHAIR:** Thank you, Mr Kirkwood.

**Ms Vincent-Pietsch:** I am Beth Vincent-Pietsch, and I am Deputy Secretary at the Community and Public Sector Union.

**THE CHAIR:** Thank you, Ms Vincent-Pietsch.

**Mr O’Sullivan:** Frank O’Sullivan, I am the Delegate and Hansard.

**THE CHAIR:** Thank you very much.

Information on parliamentary privilege and the protection of witnesses and giving evidence to senate committees has been provided to you. I now invite you to make short opening statements. And at the conclusion of your remarks I will invite members of the committee to ask questions.

**Ms Vincent-Pietsch:** Thank you, Chair. And thank you, Senators.

I know that we do not have much time, so I want to keep my opening remarks rather short.

We are here to give the perspective of the workers within Parliament House. The Community and Public Sector Union represents members across all of DPS. And we would like to acknowledge that the senators here have accepted a late submission, a supplementary submission, that we have put in.

I think this is important because at the time that we put in our first submission and we were gathering evidence to put that submission in, that was August and September of 2020. Since then we have had some rather seismic events have happened that impact on Parliament House. Obviously, the Brittany Higgins rape allegations, as well as the Jenkins—Commissioner Jenkins Report. And since then as well the Foster Report.

So we are aware that things have moved along quite significantly.

Some of the recommendations that we made in our first submission we have already seen some movement on. So, you know, things have moved in a positive direction in terms of some of our consultation with DPS management. And they have been more forthcoming with some data and information that we were seeking for time, particularly around the sensis results.

So a number of the things that we reflected in our first submission, we have already seen some movement on.

However you will be well aware that DPS really is almost like a subset of separate organisations. Little fiefdoms if you will. Some areas of DPS our members report very

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positively on management practice. And despite some significant difficulties in COVID, particularly facilitating working from home and technology difficulties, that by and large things are working quite well.

However we have noticed that there are some areas, in particular security, where we have some very unhappy members who are reflecting to the union that management practice is poor, that consultation is poor, and that they feel that—in particular that the code of conduct has been weaponised in order to silence anyone who wants to—or attempts to speak out.

So we wanted to put in this extra—concerns, coming from security in particular. However Frank is here, as he said, from Hansard. And can give you more of the perspective that comes from elsewhere, other than security. And so pick up on some of those issues, particularly around staffing pressures, resourcing issues, IT problems, that have played—particularly working from home and trying to facilitate that. As well as problems with consultation and those issues that happen in Hansard as well as other areas in DPS.

**THE CHAIR:** Thank you very much.

Just in relation to the progress that has been made on recommendations from your initial submission, on notice would you perhaps be able to provide more detail of where you see the progress has been made against those initial recommendations? I will not ask you to go through it all now, because I know that we are somewhat pressed for time. I do have some other questions, but I might hand to Labour Senator Kitching for a block of time first if that is all right. Senator Kitching, you have the call.

**Senator KITCHING:** Thank you, Chair. Thank you and good morning. And thank you for your two submissions. Could you just take us through the coverage that you represent in the building, just briefly? So the PSS, Hansard, who else? What else?

**Ms Vincent-Pietsch:** Yes, I had to look up a list because it is quite comprehensive.

**Senator KITCHING:** Yes.

**Ms Vincent-Pietsch:** Yes. So we have membership across the library and research services. The information and communication and technology services, security, building ground design, integrity services, audio visual, Hansard, arts services, visitor services, food and beverage services, retail, health and banking. We do not actually have membership as such, I do not believe, in retail, health and banking, childcare services. Although, they are provided by DPS. And then there is corporate and admin and strategic services.

**Senator KITCHING:** Okay. Thank you. Are you able to summarise the workplace issues reported by employees of the Department to whom you represent? As opposed to other building occupants. I will get to that, but if you could just summarise the issues. And you had a little in your opening statement, but just to clarify. So for example, the PSS?

**Ms Vincent-Pietsch:** Okay. So PSS in particular, we have as presented in the

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supplementary paper, got some extra survey and feedback from our members in PSS that they have some serious concerns. They centre around most notably workplace culture issues that go to the fact that our members believe that code of conduct is used very heavy-handedly. That people are often, if not put on code of conduct warning, are actually threatened with code of conduct so that that threat is out there constantly and people feel that any small mistake will end up in a code of conduct and that anyone who speaks out or speaks negatively to any management reform or initiative or questions them will definitely have a target on their back.

So there is a lot of feedback from security that there is a distrust in management. That if they want to raise concerns that they will be dealt with appropriately and that there will not be negative repercussions for them as individuals if they ever want to speak out. So there is—there is some real problems. And it has been enhanced because the consultation is relatively poor.

Our members talk about the fact that in security in particular, it is very much verbal information is given at the beginning of a shift, as opposed to emails, there is a lot of misinformation that circulates as a result. And a lot of distrust in management initiatives. And that the consultative forums in recent times have broken down.

We have just recently been able to—one of the positive initiatives is getting back up an open forum for security and attempts by management to get more transparency over how complaints will be handled, but certainly our members report that they are deeply suspicious of the current management being able to deal with any concerns in an appropriate way and that if they speak up they will be a target as a result. They may not go—be code of conducted for raising said complaint, but any small mistake they make in the future and they will find themselves on a code of conduct.

**Senator KITCHING:** So it is my understanding that sometimes those code—someone might be given a code of conduct in that process, but they are not resolved or in fact never resolved. There is no resolution to that process?

**Ms Vincent-Pietsch:** Certainly, they take an extremely long time, except they are—and that has huge—

**Senator KITCHING:** So what kind of time—so what is the longest ...(indistinct)... [8.44.33].

**Ms Vincent-Pietsch:** Oh, I would have to get back to you on that, Senator. I am afraid I do not have that data on exactly how long some have taken. But we are talking years for some of them. And we have—and there is big flow on mental health impacts for people whose job security is completely on the line while they are waiting to hear about the investigation results from a code of conduct investigation.

So that hangs over people. And quite frequently, we know that people often resign before investigation findings are found because of the mental health impacts and waiting around for those investigations.

**Senator KITCHING:** Thank you. In relation to the PSS, how are security guards kept up to date with emerging issues or changes in procedures? I mean, is that sort of a daily

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thing where something, you know, something might have happened in the morning and they—how are they kept up to date generally when there is a change in policy?

**Ms Vincent-Pietsch:** Well, so my understanding is that much of the communication lies with that change of shift briefing that happens from middle management within security. And those briefings are sort of a tell-all. But our members strongly give us feedback that they would prefer that those briefings are coupled with email outline so that miscommunication does not happen.

People that missed that briefing for whatever reason or worked on it on that shift actually get the same accurate information across the whole organisation. And that we make sure that there are not gaps that fall through—fall through the cracks.

**Senator KITCHING:** So what happens if someone is not present for the briefing? Is it put in writing anywhere so that they can read it?

**Ms Vincent-Pietsch:** No. No. And my understanding is that—yeah, that members definitely reflect to us that if they are not there for that briefing, they rely on other on other people that were there and miscommunication is rife and as a result, and particularly I think because some of our members are suspicious of changes and whether they will be positive impacts or not, tends to get a lot of whispers around things, where it would be so much better if things were put into email and it was very explicit and clear for everyone that was involved.

**Senator KITCHING:** But currently there is no way, if you miss a briefing, there is no way to go back and look at something in writing?

**Ms Vincent-Pietsch:** No, my understanding is that they ask their colleagues what happened at the briefing. What came up at the briefing.

**Senator KITCHING:** Is there a standard approach to performance management across DPS? Or does it vary by, sort of section or—

**Ms Vincent-Pietsch:** I think it varies by section. And that is one of the large problems. One of the key recommendations that we have made is that there should be like the Foster review has recommended, there should be an independent complaints handling process so that complaints can be handled independently and performance management should be a lot more consistent. I know that there are challenges with that because the types of work that people do are remarkably different. But a consistent approach that is much more transparent would be—would have huge dividends.

**Senator KITCHING:** Maybe this will be on notice, but are you able to provide us with the performance—how regularly performance management reviews are held by sort of section?

**Ms Vincent-Pietsch:** Yes, well, maybe Frank, you could speak to—at least to Hansard of that as well?

**Mr O’Sullivan:** I am not totally aware, but we—there were, I think, three years ago, we had a series of trainees who were felt not to be progressing through their training

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quickly enough and they were—they were not under formal performance management, it was the informal part of the process which comes earlier.

But they were stepped—they were set up where they had to step through, show that they were progressing through their training at an acceptable rate before—and the understanding was that if they did not progress successful—at an acceptable rate, they would—they would be—well, their—their understanding was that they would be terminated. In fact, one person resigned as a result of it. But yeah, I cannot speak for the other sections. We have not had any—to my knowledge, since then, so yeah. No one has come to me about.

**Ms Vincent-Pietsch:** But we are able to—I will—can provide—

**Senator KITCHING:** Yeah, thank you. That would be great. Thank you. What training are supervisors of staff given about the DPS performance management systems?

**Ms Vincent-Pietsch:** Correct me if I am wrong, Jeremy, but I believe that there is newly placed training going to be happening, but that has been one of the key things that has been missing, is adequate training for all levels of employees throughout DPS around performance—performance management and around bullying, harassment and appropriate behaviours and that this is something that really needs to happen. Not just at lower levels but at senior levels of management as well. And that is something that DPS desperately needs.

**Senator KITCHING:** Going back to your earlier evidence, do you think that sometimes the code of conduct process is used instead of performance management?

**Ms Vincent-Pietsch:** Yes. I definitely feel that for security, in particular, disciplinary measures are used instead of performance measures.

**Senator KITCHING:** What is the threshold in terms of dealing with the code of conduct review or performance management? So what is—so where does performance management start to kick in and where does the code of conduct? Or is the code of conduct used just really instead of performance management? And is that just in the PSS or is that across the board?

**Ms Vincent-Pietsch:** We certainly get stronger feedback from PSS than we do from other areas within DPS. But I think that would be a fantastic question for DPS to answer. Because it is not clear to the union where that bar is. And certainly our members seem to reflect to us that the first point of call is a code of conduct or the threat of code of conduct, rather than, you know, going through a performance process that may end at that.

And our members—one of them recently said to me, that they raised a concern about a roster change and that the local manager turned and smiled and said, “better watch out, that sounds like a code of conduct to me”. So it is sort of constantly threatened that any sort of speaking out or questioning anything will go straight to a code of conduct.

**Senator PATERSON:** Chair, I am just a little bit conscious of the time. I think we are actually—

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**Senator KITCHING:** I just have a couple—

**Senator PATERSON:** —just for clarity, I think we have hit the time for this witness, and I have follow up questions. There may be other senators who have questions for this witness as well.

**THE CHAIR:** 9.10 is our next block—

**Senator PATERSON:** Sorry.

**THE CHAIR:** So you do have some questions though, Senator Paterson?

**Senator PATERSON:** I do.

**THE CHAIR:** How much longer do you have, Senator Kitching?

**Senator KITCHING:** I have just got a few more questions.

**THE CHAIR:** Yes. Well—

**Senator KITCHING:** So I just want to—

**THE CHAIR:** Senator Paterson will have the call after Senator Kitching.

**Senator PATERSON:** Thank you.

**Senator KITCHING:** I just want to go to the IT. So your members have raised concerns about IT issues and equipment, services, systems not being fit for purpose, and the IT upgrades causing stress and being—because they are disruptive.

Are you able to summarise—because I can assure you that I think everyone on this side of the table understands the IT system is not necessarily, you know, does not always work that well. But are you able to summarise those issues, for your members?

**Ms Vincent-Pietsch:** Well I wonder actually Frank, if you might speak to at least that—particularly the IT issues with the transition to trying to work from home in the height of COVID and some of the things that have come up?

**Mr Kirkwood:** Yes. It seemed that—given that, as you know, that we have people working all over the country that it seemed that the department was really slow in being able to set up the processes and set up the technology to allow people to work from home.

The—it took quite a few weeks, it seemed, before we were in a position to actually allow people to work from home, just because of the technology issues.

There was some of the things like Zoom and Messenger—sorry Teams, the department would not use Zoom on its department house base systems. I am not sure why. But it meant people had to download Zoom, because they could not get Teams at home. So

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there was that issue of having to use your own equipment to do the work that—or do things that should have been allowed by the department.

The—in Hansard, and I cannot speak obviously for anywhere else, there were issues with the—which transcript files, that took a while to sort out. I mean that might have been just because we were not aware of what was going on beforehand. But it just meant that the work—it took a long time to set people up. Productivity went down in the meantime.

And it imposed extra work on our support unit, because they had to prepare files—sound files for staff at home. They had to then transfer the files once the transcription had come back from a person at home. And it—yes, but on top of that also is that, you know, we are still—we have been waiting I think three years now for a new production system.

And as a result of that, we are still on an older version of Windows which causes problems every day. I mean we are having connection problems. We have to log in every time we want to use ParlInfo or ParlView. It just effects—it effects moral. But is also just means that people lose work because it crashes and things like that.

It is—you know, I do not know the reason for all of this, but it just seems that—you know, I understand from our point of view, that IT security keeps changing their requirements for our new production system. And as a result that has slowed down the process. But it is—it just seems to be that there is no real communication between the two—between the, I guess, the operational areas and the new IT areas.

**Senator KITCHING:** Just a last question. I might test my luck and come back at the end. But do you think the current management of DPS is adversely affecting workers and building occupants work, health, and safety?

**Ms Vincent-Pietsch:** I—the unions position is that perhaps the most significant problems lay in the middle layer of management, as opposed to the secretary necessarily himself. So I think the problems that arise in security highlight the fact that—and they are not felt in other areas of DPS, so I think that that middle layer, that comes down to areas, branches, such as security, is where the real problem is.

And I do think that—our members are definitely telling us that it has impacted on their physical and mental health. And that they are deeply unhappy with the working conditions at the moment.

**Senator KITCHING:** Thank you.

Thank you, Chair.

**THE CHAIR:** Thank you, Senator Kitching.

Senator Paterson.

**Senator PATERSON:** Thank you, very much, Chair.



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As a result, and I hope you are comforted to know, that senators encounter those same IT issues—

**Ms Vincent-Pietsch:** Okay. Thank you.

**Senator PATERSON:**—and indeed frustration from time to time on that. I think it is a universal experience in the building.

**THE CHAIR:** Indeed.

**Senator PATERSON:** I just want to come back to this issue of the code of conduct breaches. You were saying earlier that, particularly in the security branch, that small mistakes often result in code of conduct processes. Can you give us an example of what a small mistake might be that would lead to a code of conduct process?

**Ms Vincent-Pietsch:** I might have to get back to you with the actual specifics. But one of our members who recently resigned from security reported that he was placed on a code of conduct for what he described as a simple mistake. A small breaching protocol where protocol—

**Mr O’Sullivan:** Self-clearing, yes.

**Ms Vincent-Pietsch:** Self-clearing.

**Mr O’Sullivan:** Yes. So an issue around the actual protocol that parliamentary security guards need to enter and exit their points. I believe in that instance it was a simple mistake of self-clearing or walking through the detector which is not part of the normal process. And that was the example that was given to us as a—what could be considered as a simple mistake that has led to a—

**Senator PATERSON:** So in that instance though, a security guard walked through the metal detector without another security guard being there to clear them.

**Mr O’Sullivan:** That is my understanding.

**Senator PATERSON:** And that alone resulted in a code of conduct investigation?

**Ms Vincent-Pietsch:** That is what we were told, yes. And that investigation dragged on for a very, very, long time. And as a result, he also had personal family health issues, and he just resigned because he did not want to go through it. Even though he felt confident that he should be cleared out of that investigation process. It was just making too much of an impact on him personally and he has resigned.

**Senator PATERSON:** And to your knowledge there were no other issues with that employee? No other performance issues or conduct issues?

**Ms Vincent-Pietsch:** Not to our knowledge. Although, people are frequently threatened with code of conducts. So people quite often have previous investigations and whatever on their record. So it would not be unusual if there had been something. But to my knowledge, there was not.

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**Senator PATERSON:** Okay. And that employee chose to resign, they were not terminated?

**Ms Vincent-Pietsch:** No, they were not terminated.

**Senator PATERSON:** Okay. Well we might explore that later with DPS.

Are there any other examples? You said it was quite common.

**Ms Vincent-Pietsch:** Well it is common for people to be threatened with code of conduct for small mistakes. I am not sure if I can give—I might be getting into people's personal details.

**Senator PATERSON:** Perhaps on notice, and in a de-identified way, if you could come back—

**Mr O'Sullivan:** Okay.

**Senator PATERSON:** —to the committee to provide some more examples.

You also said that the code of conduct process is being overused too often, when other processes are more appropriate, like performance management. In your submission you said, in the 2019-20 financial year, there were 12 matters. Ending the 202-21 financial year, there were four matters. I am not sure if that relates to 12 different employees and four different employees. Or whether that could be potentially multiple processes involving the same employees.

DPS employs about 1,000 staff. 12 cases in one financial year and four in another financial year, does not sound like a lot to me. Is there a reason why I am wrong in that?

**Ms Vincent-Pietsch:** No. The 12 and the four are different—

**Senator PATERSON:** Yes.

**Ms Vincent-Pietsch:** They are all different people.

**Senator PATERSON:** Right.

**Ms Vincent-Pietsch:** I would like to see how many of those relate to security alone. Because yes, DPS employs over 1,000 people, but as we have said, they are quite—almost separate organisations in the way that they run. And our concerns around the overuse of code of conduct definitely reflects PSS members. So those security members as opposed to other areas where—for instance, Frank has said, that overuse of code of conduct is not something that Hansard members—

**Mr O'Sullivan:** No.

**Ms Vincent-Pietsch:** —are reflecting at all—

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**Senator PATERSON:** Yes.

**Ms Vincent-Pietsch:** So my concern would be that it relates far too much to security. And those two years are also odd years because of the COVID experience and recent allegations around Parliament House. It would be interesting, I think, to be able to get some statistics on code of conduct going back pre-pandemic as well.

**Senator PATERSON:** You do not have access to that?

**Ms Vincent-Pietsch:** We do not have that. But it would be good—

**Senator PATERSON:** Yes, we could pursue that with DPS. I mean obviously professional lapses in the security team can be quite serious—

**Ms Vincent-Pietsch:** Yes.

**Senator PATERSON:** —because the lapse in safety of building occupants. So can you see why, if in your words, a small mistake that could lead to a security breach in the building might be treated seriously by DPS?

**Ms Vincent-Pietsch:** Yes. Yes. There is no taking away from the fact that it is a very important job.

What we would like to see as a result is better parameters around performance management, performance development, and those mechanisms in place before going to the severe end of code of conduct—

**Senator PATERSON:** Sure.

**Ms Vincent-Pietsch:** —if it is a small breach.

**Senator PATERSON:** Yes.

**Ms Vincent-Pietsch:** Procedures in place to make sure that people, you know, get adequate training, resourcing, and warning and a, you know, the sanction does not immediately lead to code of conduct.

**Senator PATERSON:** Yes, understood.

And just, finally for me, you mentioned that your members have been a bit resistant to some changes within the security branch. I understand one of the changes that has been tried to be implemented in the security branch is more diversity among PSS officers. Is that something that was resisted by your members?

**Ms Vincent-Pietsch:** No. And in fact I have not heard anything about that. So no. I think one of the biggest ones—maybe you could speak to Jeremy was the—

**Mr Kirkwood:** Terms of reference.

**Ms Vincent-Pietsch:** Yes.

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**Mr Kirkwood:** I think, in particular, one issue, which did come through quite—in a big way for our members in particular was changes to terms of reference for the PSS workplace consultative committee.

Given there was an operational requirement and need for the department to make the change, given there was a substantial growth in the size of administration in the security department as well, there was a need to obviously include those workers in the process. But there was a clear sense and feeling that there was an identity which came along to guards who were uniformed who wanted to ensure that they had a place to talk about their issues.

And it was—that was where a lot of resistance came and actually led to probably—like, destabilising how consultation was actually functioning within PSS. Because going along with fear of reprisal and that—when workplace leaders actually remove themselves from normal consultative mechanisms it is quite detrimental for how the workplace actually operates.

So I would say that that was one of the more significant issues that led to an issue around consultation with the guards.

**Senator PATERSON:** Okay.

Thank you, Chair. Thank you.

**THE CHAIR:** Thank you, Senator Paterson.

**Senator KITCHING:** May I ask one clarifying question?

**THE CHAIR:** One clarifying question, yes you may.

**Senator KITCHING:** The numbers that—the 12 and four numbers, are they just for the members covered by the CPSU? Or are they departmental overall figures?

**Ms Vincent-Pietsch:** They are departmental overall figures—

**Senator KITCHING:** They are overall figures?

**Ms Vincent-Pietsch:** So we had been asking DPS for some time for better information coming out of the census data. And trying to get some code of conduct figures. So we have recently got those from the department. So that is not our members.

**Senator KITCHING:** I have asked for the census results previously at an Estimates hearing, but I refused it. So I might ask again today.

**Ms Vincent-Pietsch:** So one of the positive initiatives is that we have just, this month, received more census detail from the department. So—

**Senator KITCHING:** Well done.

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**Ms Vincent-Pietsch:** Yes. So, yes.

**THE CHAIR:** Thank you, Senator Kitching.

Senator Roberts.

**Senator ROBERTS:** Thank you, Chair.

And thank you for attending today. The most important—or the most significant driver of performance is the workplace culture wherever we are. It affects productivity, it affects morale, it affects turnover of employees. One of the things I have noticed, having come from a private sector, is that in politics in particular, I am not saying public service, but in politics there is an absence of data. And it seems to be a lot of power at play.

The other thing is that the two most significant drivers of people's behaviour that I have seen, in all work environments, are the quality of the leadership and the quality of the systems.

Would you be prepared to—I know it is a very awkward question, in the sense I have not seen any specifics in your witness—in your statements at the moment. And that is not a criticism, because we are dealing with a very broad area and a lot of diversity across the sections.

What is the quality of the leadership and the quality of the systems at place? Especially in PSS in your view.

**Ms Vincent-Pietsch:** So our members definitely reflect that the quality of leadership is very poor in PSS in particular. Although that, as I said, is different in different areas of DPS, not the same reflection.

In terms of systems, that is a broad question. The—well there is clearly problems with the ICT systems that have a huge impact on the productivity and the morale of all areas within DPS. But there are certainly issues with power imbalance across all areas that lead to poor systems being put in place—

**Senator ROBERTS:** Like the shift change, that kind of thing?

**Ms Vincent-Pietsch:** Yes.

**Senator ROBERTS:** And levels of accountability?

**Ms Vincent-Pietsch:** Well in PSS, our members would say extremely poor. The levels of accountability for management, despite the over—over oversight from the workers and the security guards, they feel that managers regularly reflect inappropriate behaviours or actions. And there is no levels of accountability from management that they—breaches or small mistakes that are made by security guards, far more serious breaches are made by more senior levels of management and there is never any accountability, is what our members tell us.

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**Senator ROBERTS:** And that would—I am not trying to lead you in any direction honestly. But the lack of accountability would tend to mean that there is a lot of subjectivity in decisions and who is put on code of conduct issues and so on?

**Ms Vincent-Pietsch:** Absolutely.

**Senator ROBERTS:** Okay.

**Ms Vincent-Pietsch:** So our members describe it as a boys' club.

**Senator ROBERTS:** And what I have also seen is the quality of the leadership throughout an organisation—and you are saying the main problem is in the middle management, always starts at the top. Is the middle management accountable to the top? Does the top know what is going on, in your view?

**Ms Vincent-Pietsch:** In my view, no.

**Senator ROBERTS:** Okay. And wherever there is limited accountability and favouritism, there tend to be rorts which exacerbate things. Some people are allowed to get away with things. Some people get more overtime. Some people are not counselled for absenteeism when they should be. Is that the case?

**Ms Vincent-Pietsch:** Yes, that is the case. You sound like one of my—our members.

**Senator ROBERTS:** I have been around.

**Ms Vincent-Pietsch:** Yes.

**Senator ROBERTS:** Thank you, Chair.

**Senator AYRES:** Just a very brief question. Thank you for this morning's discussion and the two submissions.

I expect that what we will hear through the course of the day, observations from some about, you know, at essence cultural sort of leadership problems. And, you know, defensiveness and different views about those from others. What I just wanted to get to the bottom of is, I see in your submission that there has been at one meeting with the Department Secretary about issues that go to much of this. And there has been some progress on some of the issues. And I think that your submission is sort of careful to point that out.

Is there agreement that there are cultural problems between the leadership of DPS and the union? Like, is there agreement that there are problems? Or is there a lack of agreement that there are problems? It seems to me to be an important first step.

**Ms Vincent-Pietsch:** Yes, that is a great question. I would say the meeting was positive. The recent meeting that I had with the Secretary was positive.

I think management questioned whether there is a cultural problem, however they recognise that historically, particularly in security there have been significant issues so

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that they know that there is a history there. They feel that the initiatives that they have put in place, you know, are working and should be sufficient. We question whether that is being seen on the ground enough and that more needs to be done. So—

**Senator AYRES:** No, I do not—so, is the—the big reform that, you know, in the—two—2004, I think it was where the various departments were put together into one. Do the culture problems sort of—when you have got quite different organisational bits of DPS, you know, what impact does that have on the culture issues? If—can you draw a straight line between that and the culture challenges or is it just a much more complex story?

**Ms Vincent-Pietsch:** I think they are different areas within DPS continue to run as almost separate entities. And that is one of the big problems. But it is—if I could just take one second. It is worth noting that the issues are not—although they are severe in security, it is not only security that are having issues, so we certainly had members in the library in particular raise that they frequently had inappropriate heavying from staffers and politicians around asks.

The workload was quite extreme and the expectation of what they would be able to publish in what—provide in what sort of time was extreme and our members report feeling very much overwhelmed by that and that the strategy that management had gone to which was more about having generalise librarians as opposed to specialists had put the library under pressure because they are only getting increases in workload and asks coming through. They do not have the resourcing, the people to be able to do it and that specialised skill set has been by and large lost. So it is—there are those pressures not just in security but in other areas as well.

**Senator AYRES:** Thanks. Thank you. Thanks, Chair.

**THE CHAIR:** Thank you very much, Senator Ayres and thank you to the CPSU for coming along today. And we will send you off with our thanks for your testimony and we will be reminded of the due date for the questions on notice by the secretariat. Before I call on the next witnesses, I do have a somewhat extraordinary request. The legislative assembly has advised that if anyone present in the room has been to any of the declared ACT COVID hotspots, they are to please vacate the area and the hotspots are the National Gallery, the—at the Botticelli to Van Gogh exhibition and the exhibition gift shop.

So if any art aficionados are in the building, they will have to head off. And Via Dolce—my Italian is not too good—pasticceria in Civic which I understand is a pastry shop. If you have been to any of those places, I do not think you will be forcibly removed, but it would be nice if you could head out. For your reference anyone that is now coming into the assembly is being asked if they have been to those hotspots to not come in. So we are not trying to kick anyone out who should not be here. Just being incredibly cautious. I hope none of you guys are in that situation.

**BUBB, MR GAVIN,** Australian Manufacturers Workers Union

**WINDSOR, MR BRIAN,** ACT Organiser, NSW/ACT Plumbing Trades Employees Union

**JOHNSTON, MR MITCHELL,** Electrical Trades Union

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**THE CHAIR:** And we will now welcome representatives from the Electrical Trades Union, the Australian Manufacturers Workers Union and the New South Wales and ACT Plumbing Trades and Employees Union. Are we good to go gentlemen? For the Hansard record, could you please each state your full names and the capacity in which you appear today.

**Mr Bubb:** Gavin Bubb, Organiser with the AMWU.

**THE CHAIR:** Thank you, Mr Bubb.

**Mr Windsor:** Brian Windsor, representing the Plumbing Trades Employees Union.

**THE CHAIR:** Thanks, Mr Windsor.

**Mr Johnston:** Mitchell Johnston. Here on behalf of the ETU, Electrical Trades Union.

**THE CHAIR:** Thank you very much. Information on parliamentary privilege and the protection of witnesses in giving evidence to the Senate Committee has been provided to you and I now invite you all to make short opening statements and at the conclusion of your remarks, I will invite members of the committee to ask questions. We might go in the same order.

**Mr Bubb:** Okay. Yes, I have just introduced myself. We—we have got many—many members down at DPS, amongst the three unions and we are in a position at the moment where we have got a number of matters that have been brought forward by our members, across the three years that are of concern. We canvassed the broader membership, we took 38 particular issues away from our members, which we categorised and we have a common provision that these issues have been addressed over a number of—number of years and that there seems to be a problem or a disconnect within DPS with regards to our members there.

We have broadened this out to be reviews and problems around classification of wages, leave entitlements as put as toxic management, issues around rostering, bullying and harassment, safety and then we have a category of another culmination of issues. But we have amongst the—the unions, we actually have two people off on stress leave. One from—from our union. He has actually been off on stress leave over these managerial issues for some number of months. The other fellow has from the plumber's union has had to take 11 months leave over the same types of issues. We have more recently engaged with management to get to the bottom of why those issues are at play. Initially, when we met with them, there was a lack of recognition that there were actually issues that were concerned of our members. And then we organised a meeting with the management team more recently when we had both members and more members present and we—we then applied—I guess a little bit of pressure, if you want to call it that way—to getting more people to come forward with their situations that were of concern.

At that stage, the non-members also come forward with some issues that they thought were not quite right. Some of those were of real concern because they were based around safety matters and the safety matters had not been addressed for up to eight



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months in some cases. Management seemed surprised at that stage that these issues were actually present and our members—we assured management that these had actually been reported up to some eight months ago and there has been a lack of action in regards to them. And management then asked our particular fellows about whether they—even though these matters were at play, whether they actually used these items of concern, even though some of them were tagged out as not to be used. And they openly said, yes, we do use them, because there has been a lack of action in replacing them or getting items fixed or serviced.

**THE CHAIR:** Thank you, Mr Bubb. Mr Windsor and Mr Johnston, did you want to provide open statements as well?

**Mr Windsor:** Yes, I have got a couple of things to say. I am pretty much going to reiterate what Gavin was saying there and—but we initially got involved with members of management, it started with rostering. There was a few procedures that were not done correctly, we believe and after speaking to management, they sort of recognised that. So that was our initial call into talking with our members down there.

But from there, one of our following members, he has not gone on stress leave as such, but he got to the point where he just had enough with management, and trying to speak to management, and not be able to get the points across.

They believe things are not getting done properly, as far as Australian standards and the work in the house as well. He said, “I have had enough. I am getting out of here before I go crazy”. And he has taken 11 months of—I believe annual leave, long service leave. So just to have time away. He had had enough of being there.

But there is a few issues, like Gavin was saying that we are happy to go through, I guess. But after our last meeting with management, I think management were in a bit of denial about the toxicity and that in the workforce. But we had our meeting and management had said previously to us that they had had a meeting the day before. And the members did not bring anything forward. So they were pretty happy.

But when had the meeting with management and ourselves and all of the staff there, they obviously felt a bit more confident to be able to bring issues up to the table. And I guess, even at this senate inquiry there is a fear of retribution that if they do speak up, you know, that there will be repercussions. So hence why there is no one here.

So that is the feeling we get from the floor, that they are too scared to speak up and the fear of losing their job or something like that. So we would like it on record, if possible, that anyone that is mentioned, or seems to be mentioned, in this has got some sort of protection in the future going forward. We do not want our members attacked, I guess, by management in any way, shape, or form.

If there is any adverse action towards them, we would obviously follow that up with the Fair Work Commission. Thank you.

**THE CHAIR:** Thank you, Mr Windsor.

Mr Johnston.

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**Mr Johnston:** Yes. Well, to put into context as well, I initially put the invitation out for all electricians and members, and non-members, to attend these meetings, informal meetings, that we were having in the carpark at the time.

I could only get one electrician there. He was a delegate for the ETU. And when I asked him why the other 13-odd sparkies on site could not make it, he said that it just was not worth it for them. That they were too intimidated and too scared to come down. They felt as if they rocked the boat then it would make—what I was being told, a difficult workplace, even more difficult.

So it took three meetings before I got six or so electricians to come. And still I cannot give—I cannot get a statement with a name and for them to stand by it for fear of, as Brian said, retribution.

**THE CHAIR:** Thank you, Mr Johnston.

Senator Kitching, questions?

**Senator PATERSON:** Chair, before we do that. I think it is really important to point out, given that evidence from our witnesses, that any inference with someone seeking to cooperate with a Senate Committee is in contempt of the senate—

**THE CHAIR:** Yes.

**Senator PATERSON:** And we would treat that very seriously. So if you have any evidence that any employee has been threatened or disadvantage in any way because they have sort to cooperate with this inquiry, then we would like to know about it.

**THE CHAIR:** Thank you, Senator Paterson.

Senator Kitching.

**Senator KITCHING:** Thank you.

Thank you, for your time today, and for your evidence so far.

Can I ask—I want to go to some specific examples. But just could I get, for the committee, the—so just the coverage you have had in the buildings? So just very quickly, Mr Bubb.

**Mr Bubb:** So I would have the mechanical maintenance type employees.

**Senator KITCHING:** Thank you.

Mr Windsor.

**Mr Windsor:** I look after the plumbing side, whether it be refrigeration if they decide to join our union, or the plumbers themselves.

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**Senator KITCHING:** Thank you.

Mr Johnston.

**Mr Johnston:** Yes, the onsite maintenance electricians.

**Senator KITCHING:** Thank you.

We have heard some of your concerns about how the current management of DPS is affecting workers. And you have received concerns from your members, well you know of concerns, but they are too scared to—

**Mr Johnston:** Yes.

**Senator KITCHING:** —to give statements. Would you say that most issues are once-off matters? Or is there a pattern—a long standing list of a pattern of issues?

**Mr Johnston:** I think that it is described as a culture, really, of being dismissive of some issues that have been previously raised. And some long-term employees are now giving that advice to the newer employees, saying, well do not speak up about that because I have been, you know, bringing that to attention for the last x amount of years and still have had no traction. So it is better just to stay quiet.

**Senator KITCHING:** You mentioned some safety issues, Mr Bubb. Could you list those or give us an understanding of them?

**Mr Bubb:** There was one particular issue which was discussed at the last meeting that we had with management and that was around a distribution board and its placement on a cooling room. Obviously of a metal construction—

**Senator ROBERTS:** An electrical distribution?

**Mr Bubb:** Yes. And that that obviously would cause some concerns from that electrical perspective.

And the notification had been put in that the contractors had just pretty much finished the job and walked off and then left it for other people to do—well our people, let us say, to maintain. And that that was not followed up.

There was also—

**Senator ROBERTS:** Excuse me. It was just accepted and left as it was?

**Mr Bubb:** That is our understanding, yes. So that was eight months, I think, after it was reported.

There were also some ladders, some access ways, that required replacement or repair, that had also been reported and tagged, and not maintained past that point. Which is obviously a major concern for us also. But probably a bigger concern for us was that our people were having to use those access ways or ladders regardless to do their work,

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to maintain the facility as such.

And there was also a matter around some asbestos matters. And that, at that time, the asbestos issue—I think Brian might be able to talk to this a bit more. But—

**Mr Windsor:** Yes.

**Mr Bubb:** Yes. But in essence, our members were told that it does not matter, it is good asbestos. Which of course is absolutely ridiculous.

**Mr Windsor:** There was questions asked regarding the asbestos. And that is, you know, the workers' rights, if they have got any safety issues that they can bring it up with management. But yes, to be told that—not to worry about it. It is good asbestos, is very frightening.

**Senator KITCHING:** Just going back to the distribution board. So that was—it was near the refrigeration—so in a metal—so it was an electrical distribution board from metal.

**Mr Windsor:** Yes.

**Mr Johnston:** So I might be able to clarify a little bit on that. I am yet to see the distribution board. But from what the members tell us it is through a manhole. So this is an instance where it would not comply in any other building in Australia. But not actually every electrical warrant an inspection. It is a one in ten or a one-off inspection, by the electrical inspectors in the ACT.

So essentially if the electrical inspector has not visited and made an inspection well then, he will not defect it. But in the meantime, if it escapes the inspection I guess, our members concerns were they were maintaining non-compliant electrical installations and infrastructure in the building.

**Senator KITCHING:** And going back to the tools that are not compliant anymore but have not been replaced. So that is against the national standards that are in each occupation?

**Mr Johnston:** Correct, yes.

**Senator KITCHING:** So they are actually done by the federal government. It is a national—

**Mr Windsor:** The members were telling us those issues were being brought up 12 months previous. And to hear that the staff, to complete their job, were using these tagged out ladders, for argument's sake, if they are on them obviously, if there is an incident, they are going to be uninsured. And that is a major concern. And for it to be going on for 12 months, it is too long. Way too long.

These things should be—and they are easy fixes. You know, if it needs to be a ladder replaced because it is damaged or whatever, get it replaced. Or if can be repaired. I am not 100 per cent sure on the style of ladder. But they are not million-dollar fixes. These

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are, you know, low budget, I guess, fixes that could be done.

**Senator KITCHING:** Can I go to—

**Mr Windsor:** —quite easily.

**Senator KITCHING:** Thank you. Could I go to the members who are on long-term stress leave? Are you able to give us an idea of what has happened that has caused them to have such a high level of stress?

**Mr Bubb:** I cannot really give any specifics around anyone's personal matters, because we have not been privy to that, per say. But the general feeling was that—the particular fellow that I am looking after, felt that he was not being respected in the workplace. His experience, whilst he has been there, is not being recognised currently. There is possibly some favouritism towards other employees and that some of the—some of the work that he has been asked to do has made him feel very, very uncomfortable.

**Senator ROBERTS:** Uncomfortable in what way? Physically?

**Mr Bubb:** Mental—so probably, mentally, to be honest with you.

**Senator ROBERTS:** Can we have more details? Sorry.

**Mr Bubb:** The—there is currently an investigation with the AFP into some dealings at DPS as well which concern our members, particularly one member. I am not sure where I can go with it at the moment, because I am not sure where that stands with the AFP at the moment, whether that has been completed.

**Senator ROBERTS:** Thank you for that. I respect that.

**Senator KITCHING:** Can I ask if the EBA that you have—the members have—is that always followed or is it—does it become a more in-house kind of agreement that is going on? So where the conditions of the terms and conditions of the EBA, are they—have they been followed?

**Mr Bubb:** I would say very loosely. Yes. That was one of the initial reasons why they were called in because there were some changes to rostering and there had been—my understanding, there had been a consultation with the workers. It was just brought in on the Monday. So this is your new times of coverage for the house and some of the workers there were a bit taken aback by that because they have got—obviously family commitments that they had arranged with management to be able to pick up their kids for arguments sake and this type of stuff but then all of a sudden, bang, it was just a change that was going to happen. So that is where we initially got involved and we had meetings with management and they went back and had a look at their processes in the way of bringing that change in, so they sort of recognised that they probably had not consulted properly, so through the EBA, you know, they probably had not followed the process completely.

**Senator KITCHING:** May I ask some questions just on the process. So where do—how does DPS receive an action queries from members, or does it? I do not know

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whether it concerns—you know, how is it action concerns and complaints received by employees and building occupants. When you have given some evidence to the effect really that—I am paraphrasing here, but perhaps concerns are not really acted on. Are you aware of any process that should be followed?

**Mr Bubb:** Well, I know that our members have gone through HR and HR have not shown any interest and the blokes have given up in reporting to HR. So you know, we are trying to get a culture back into the house where they feel comfortable enough to be able to talk to management because at the moment, they do not feel like they can trust management with their issues. So we are trying to get that culture back where we have the meetings with management and the workers to try and rebuild that trust between management and the employees, so but we just—you know, we are the conduit between you know, the workshop—or for the maintenance-type people and management and that is clear there was a disconnect and obviously we—we are meant to play a big part in getting this connection back because from what we are seeing and certainly what we are hearing is that it is a toxic work environment and obviously we cannot have our members of EBU or non-members going to the work place where they feel that they are intimidated and they just want to get comfortable and do their job, go home and the—well, except we have got people that are off on stress leave throughout that process as well.

We would not accept that in any workplace, let alone Parliament. I mean, everybody looks up to Parliament and their expectation would be that if there is a workplace that is—you know, in hitting the bar as far as leases go, well, this is it. And I am pretty sure if we went into any workplace and said you would not believe what was going on at Parliament, they would not believe it. They just would not believe it.

And at the last meeting, you took us back—because when one of the employees come out and said that they could not even approach management. It was—so it took us back to the fact that they felt that they could not even talk to management. They were unapproachable, that tell us that we have got a pretty major problem there on the floor to management. So yeah, that was a bit of a shock, to us, that one.

**Senator KITCHING:** That is the middle level of management?

**Mr Bubb:** Yeah.

**Senator KITCHING:** Yes. Mr Johnston?

**Mr Johnston:** No, I reiterate that.

**Senator KITCHING:** Are you—are any of the unions making a submission to Kate Jenkins, the Sex Discrimination Commissioner's review into the parliamentary workplace?

**Mr Windsor:** Not to my knowledge. We have not.

**Senator KITCHING:** Thank you, Chair.

**THE CHAIR:** Thank you very much, Senator Kitching. Any other committee

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members? Senator Roberts?

**Senator ROBERTS:** Yes, thank you. You mentioned Parliament House, you would not believe—people would not believe it if you told them what was going on. Is that a—is there any kind of awe around Parliament House—a sense of awe or are all so—oh, we cannot disturb Parliament House, it is too important or anything like that.

**Mr Bubb:** No, I do not feel that. I do not think it comes about awe, to be honest with you. It is just about an expectation, but if things are done right, then it should be done right here or within Parliament. I mean, that sets the standard that you know, certainly everybody that we see, they see Parliament in operation and I guess the expectation is that if the standards have been set at the highest level than that should filter back down through every workplace. Now, I might say, yes okay, you would not believe what happens here, that is—that probably speaks for itself more recently, but just in regards to the industrial side of things then when we have items particularly around bullying and harassment and safety, then that sends alarm bells for us, to know that it happens at this level, and then we are trying to go back to it to a lower level, you know, when we are trying to say look, these people do things right, they are the example. Let us take you know, what they do as gospel, well, let us work that back through every workplace that we go through—go to. And the facts are that we—in the workplaces that we do go to, I mean, I will probably deal with in steel and within that industry they probably set the bar higher than what we are seeing in some cases in the DPS.

**Senator ROBERTS:** What I meant by awe was, you know, people are walking around in the same building as the Prime Minister and the Governor-General at times and all this kind of stuff.

**THE CHAIR:** And senators.

**Senator ROBERTS:** Well, having been in the Senate—what I meant was, we better not complain too loudly, we do not want to disrupt the place? Is there any of that?

**Mr Bubb:** Well, I could not categorically say that to be honest with you.

**Senator ROBERTS:** Okay. That is—I just wanted to—

**Mr Johnston:** In saying that, I think it is pretty in line with using a tagged out ladder for 12 months, because you just want to keep the flow of the building as you say. This building that will—all these people are walking around then—important people. I have to get this air-conditioner serviced and I have to walk up this ladder that is purpose-built for the service of an air-conditioner and it has been deemed unsafe to use but we will continue to use it for 12 months because we need to keep the flow of the building and so in that sense, yeah. I am sure that these people will put up their hand and say, “I am not using it”, if it was a construction site. But it is not essentially a construction site. It is something that they are maintaining. And then they do not want to disrupt the flow of the building. If I put up my hand and say, “I cannot service this heater, XYZ”—

**Senator ROBERTS:** Yes, thank you for that. And that is—where I was headed really, trying to get a feel for that. Having come from the underground coal-mining sector, I know about hazards. But I also know that safety increases productivity, reduces cost,

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whereas many people in management and sadly, many people in the union movement think that safety and productivity have to be off-setting each other. Have to be balanced—you have to come to a balance. That is rubbish in my opinion.

**Mr Johnston:** Yes, the cost of doing nothing as well, there is not, like—

**Senator ROBERTS:** Sorry?

**Mr Johnston:** There is a cost for doing nothing. Cost to not fixing that—

**Senator ROBERTS:** Exactly.

**Mr Johnston:** —and potentially having an accident.

**Senator ROBERTS:** Exactly. And then when you have got a—when you have got a non-complaint installation, not only is it unsafe, but for anybody who is using it, you then ask a professional to come up and check it, maintain it. What does that tell him about the—or her—about the standards in the place? And then they are feeling compromised themselves because they know they are doing something wrong, but they have to keep it going.

**Mr Johnston:** Exactly.

**Senator ROBERTS:** And then that is a reflection of the standards in the place and that then effects the worker's standards themselves, because they think well, if they do not care why should I? And then there is a lack—it also reflects a lack of care from the management. Am I right?

**Mr Johnston:** Well, I think if we walked on to any of these construction sites in the city and I asked one of the workers on the site to use something that was non-compliant they would be the first to put up their hand and whether it be walk off the job or say, "I am not doing that, that is unsafe." I would expect any of those workers to—to raise that concern and obviously it is a bit concerning when we look at workers have not felt comfortable to—to raise it for a period of months in that building.

**Senator ROBERTS:** Thank you.

**Mr Windsor:** Just in the plumbing sort of stuff as well, there is Australian Standards—National Standards for Plumbing and when they are not being fired by the contractors on the job and it has been raised by the employees to management, there is no sort of respect shown there to take on board what the tradesmen are saying. Not only are they tradesman, licensed tradesmen, but also got building knowledge there as well. In Parliament House, it is a unique building. They have got a lot of knowledge there about the place, so when they see something that does not follow Australian Standards, they expect sort of, management to do something about it. And it is not happening apparently, so there is some stuff there that may have needed to be fixed in the past that has not been. So there is a—yeah, a definitely—a big disconnect there, I think.

**Mr Bubb:** And Mr Windsor, there is a significant follow on effect from that. Because people find a lot of meaning and purpose in work.



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**Mr Windsor:** Absolutely.

**Mr Bubb:** They spend a lot of their time—their waking hours at work and when they have a lousy day because they have not been able to work to their standard, they do not go home very satisfied.

**Mr Windsor:** Yeah, and that is the other thing. You know. They are telling us when we are driving up the hill to go to this job, the anxiety level goes up. They are anxious to go to work because they are—they are not going to be listened to and respected. So that has a lot of issues with their mental state. They did tell us in the past, it was a good place to come and work. But in the last 18 months or so, it is not as good a place to come and work, so.

**Senator ROBERTS:** So it is that recent? 18 months?

**Mr Windsor:** Yeah.

**Senator ROBERTS:** Okay. So there is a demarcation there. What was going on before it was okay?

**Mr Windsor:** Yeah, apparently. So that is what they wanted me to tell Mike so - but, yeah. They just drive up the—the anxiety level goes up and it is sad, actually.

**Senator ROBERTS:** So I cannot remember who said it, but someone said HR does not seem to show any interest.

**Mr Windsor:** Yeah.

**Senator ROBERTS:** Do you have any—was that—

**Mr Windsor:** Yeah, that was myself.

**Senator ROBERTS:** Mr Windsor? Okay. Thank you. Do you—any of you have any understanding of why maybe? Even if it is speculation or your best guess? Is it pressure that HR cannot face up to or is it laziness in HR or is it futility? “What is the point? We will not get anywhere”.

**Mr Windsor:** I think it is people looking after people. It is from my understanding that HR sort of, at the feeling whether it is perception like this is that, you know, if they report it, well, you know, HR do not want to take any action because they are mates with the people in management. There is a sort of understand—understanding that I got—the feeling from the members.

**Senator ROBERTS:** And someone also said people cannot approach management or do not approach management. I think the word was “cannot”; “I could not”.

**Mr Windsor:** Could not. Yeah.

**Senator ROBERTS:** Yes. Is that because we know there is some retribution? You are

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afraid—members are afraid of retribution? Is it also fear of management not being competent technically on some of these issues?

**Mr Bubb:** It is a possibility.

**Mr Windsor:** Yeah.

**Mr Bubb:** There was a matter brought up around some changes in personnel going back some period of time. It was some sort of engineering role that was taken out of the system as far as that strand of work goes. And I think it was recognised around that time that they started to see some of the issues around the installation.

**Mr Johnston:** They were solely relying on contractors to make these decisions on where the distribution boards would go and you know, for the purpose of fit out or would it be. We were told in the past that there would be an in-house engineer or architect that was familiar with the building and would have had like input on these decisions but now it has been put onto the contractor. The contractor's in and out in two weeks and then after it has all been signed off and the maintenance guys are there to maintain it, they are finding that the work is non-compliant and not up to the standard of their own and they do not feel comfortable maintaining it.

**Senator ROBERTS:** And could the answers come actually from the tradesmen who are supposed to be—who are doing the job?

**Mr Johnston:** Yes.

**Senator ROBERTS:** So if there is a bit more listening from management, they would have their in-house expertise anyway?

**Mr Johnston:** Exactly, yes.

**Mr Bubb:** I think the—it is sort of self-explanatory as well, that it is our members that are bringing these issues up to start with, so they recognise the issue and it has not been attended to. So you are right in what you are saying. 100 per cent.

**Senator ROBERTS:** Could we also go to toxicity? A number of you have mentioned toxicity. Could you be specific please? Is it subtle, implicit fears or is it aggressive, direct threats?

**Mr Bubb:** I will just—I will read directly from the comments and again these were from members and they may be doubled up. Such comments as, “No respect to trade staff, opinions or advice”.

**Senator ROBERTS:** Excuse me, is that as people or—

**Mr Bubb:** Yes.

**Senator ROBERTS:** —as in regard to their qualifications and technical expertise?

**Mr Bubb:** It is a combination of both. Because there is also another comment around

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tradesmen with years of experience being referred to as junior staff. They—that is quite insulting to—to our senior members. So we have also—have trade staff going to counselling just for advice and help. And again, these are—these are only comments from before. Managers covering up mistakes to protect their favoured workers. We have nowhere to turn for support, as upper management are mates and look after one another (boys' club). We have had staff leave just because they cannot put up with managers anymore, not because they were looking for more money. The environment in the workshop is toxic, which is obviously a basic one. Basically splitting us into two groups. I think what they were talking about there, there was a feeling that there was an older worker's group and a younger worker's group and there may have been some difference in treatment.

**Senator ROBERTS:** And who was being favoured?

**Mr Windsor:** The younger guys.

**Mr Bubb:** Yeah, the younger guys. That—the younger people. That—that was the feeling.

**Senator ROBERTS:** Why was that? I can guess.

**Mr Windsor:** Well, they were not sort of speaking up as much, as probably what the older guys were.

**Senator ROBERTS:** That a guess.

**Mr Windsor:** Yeah.

**Senator ROBERTS:** Because the—

**Mr Bubb:** That is the feeling we got.

**Senator ROBERTS:** —the older guys have more experience and they know what they are doing. More so than the younger ones.

**Mr Windsor:** They have been in the building longer as well.

**Senator ROBERTS:** Yes.

**Mr Bubb:** So there is some other comments I will—the manager takes more advice from an apprenticeship than their leading hands. Our own boss could not even handle the atmosphere and had to leave. Guys do not want to have lunch in the workshop just so they can avoid comments and smart-arse remarks. Guys not wanting to take leading hand roles just to avoid dealing with management, thus stopping any career advancement or more money, as they put it.

Management do not see the real person. We have to do with really nice to anyone higher up—I do not quite understand that one. We always do what is right for DPS and go out of our way to help and have many awards to prove it, but they are always trying to find ways to screw us. And lastly, management walking around the building looking for

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people having a coffee, then when he finds them, threatens them by saying, “Pineapple, pineapple, pineapple”, pointing to each of them in return.

**Mr Windsor:** Yeah, pretty toxic.

**Senator ROBERTS:** So it is frustrating. And—

**Mr Windsor:** And demeaning is—more so with their last comments there.

**Senator ROBERTS:** So it is got more to do with lack of respect for their expertise and their competence, rather than direct intimidatory threats?

**Mr Bubb:** I think you are probably right there, yeah. Seems to come across that way.

**Mr Johnston:** I have one example that multiple of my members have reached out to me and I am yet to go into their lunchroom, but they were told that one morning—I was told that one morning that when they went in there, there had been a new—what appeared to be an intercom camera. So their supervisor could buzz them in and let them into their lunchroom. And they said after a few days, they realised that it was not actually an intercom, it was—would film them through all the hours while they have lunch and when they asked their boss or the supervisor what purpose did the camera serve, he said it was just to make it easier for me to let you through the door and buzz you in. He said, but the weeks followed, there was evidence that he was adjusting their time sheets and hours he would lunch and—and worked and whatever. Because he was appeared to be keeping an eye on them through the camera that he would set up into the lunchroom.

**Senator ROBERTS:** So there is a big lack of trust.

**Mr Johnston:** Well—

**Mr Windsor:** Oh yeah.

**Mr Johnston:** I think that is—even—appears to be a technique of intimidation.

**Senator ROBERTS:** So in my experience where there is that lack of trust, there is a lack of competence or understanding in the people who should be trusting others.

**Mr Johnston:** Yes. So to my knowledge this is the supervisor that they were directly bringing concern to. So if the majority of the concerns had come from that individual, you can imagine how they would be then reluctant to pursue any other—whether that be safety or continue on the job.

**Senator ROBERTS:** Yes. So that goes to a lack of understanding what is involved in management and leadership.

**Mr Johnston:** Yes.

**Senator ROBERTS:** Thank you.

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**THE CHAIR:** Thank you very much, Senator Roberts. I just have one follow up question to something I think Mr Windsor said at the start for questions from Senator Roberts. You said that the workplace culture had become quite poor in the last 18 months, I think is the marker.

**Mr Windsor:** Yeah.

**THE CHAIR:** Do you think that COVID has had any impact on that? I am just trying to think of what might have changed within the last 18 months to bring that change.

**Mr Windsor:** What my workers have told me in the last 18 months, there was some management change, so, I believe was certain manager came in and things changed a little bit in all honesty.

**THE CHAIR:** Okay. Thank you for bringing that up. Senator Ayres, did you have some questions?

**Senator AYRES:** Yeah, I was going to ask a question, but I think you just asked it. It was really so I could say I know Mr Bubb pretty well. I used to work with him. So—and I have never called him Mr Bubb before either. But—

**Mr Bubb:** Yeah, I will take that one.

**Senator AYRES:** But it really went to that, you know, that—so this has sort of been building up for a while.

**Mr Bubb:** Yes.

**Senator AYRES:** And the three of you have sort of got together and worked your way through some of these issues. Are you—do you feel like you are making any progress?

**Mr Bubb:** Look, it is hard to say. It is early days. We have only really had the one session with management and both members and more members. It was a quite fruitful meeting to be honest with you.

**Senator AYRES:** But the proof is in the pudding.

**Mr Bubb:** Exactly and for us when I guess, with the distribution board situation when that was brought up, management said straight away okay, let us get onto it. It needs to happen right now. We still do not know whether anything has happened. And we spoke about this only yesterday that we need to follow up because if those types of things have not been followed up then that is indicative of the type of management and the treatment of the workers in general.

**Senator AYRES:** Yeah, I just say if the—you know, people from the sort of management at DPS who are dealing with the maintenance section, you know, read this transcript or are listening, you could do a lot worse than working closely with these three characters. It is a—it does sound like you are really positively engaging with this set of issues and if management works with you, then you will resolve them.

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**Mr Bubb:** Yeah.

**Mr Windsor:** Yeah, they are sitting here listening which is good, that they have made a commitment to find—get the place back to where everyone is—you know, they want it to be a good working place. They want the same outcome as us. So we want to try and achieve that with management. Bring them along as well. As well as the members.

**Senator AYRES:** Yes.

**Mr Windsor:** So yeah, it is a—it has got to be a two-way street obviously from the members and also the management at trying to rebuild that trust and get it to a place where everyone who comes to work is happy to be there and proud to be saying that they work at Parliament House like they apparently used to be.

**Senator AYRES:** Thanks, Mr Windsor. I am good, Chair.

**THE CHAIR:** Thank you, Senator Ayres. Senator O’Sullivan? All good? Thank you very much all of you for coming along today.

**Mr Bubb:** No worries.

**Mr Johnston:** Thank you for your time.

**Mr Windsor:** Thank you for your time.

**THE CHAIR:** You will get an early four minutes and I now welcome representatives from the Australian Federal Police. Representative from the Australian Federal Police.

**DRENNAN, MS FIONA,** Assistant Commissioner, Australian Federal Police

**THE CHAIR:** I now welcome Assistant Commissioner Fiona Brennan from the Australian Federal Police for the Hansard record, would you please state your full name and the capacity in which you appear today?

**Ms Drennan:** My name is Fiona Caroline Drennan. I am Assistant Commissioner in the Australian Federal Police and I am currently responsible for the specialist protective command within the AFP which has responsibility for our services in the Parliament House.

**THE CHAIR:** Thank you very much. Information on Parliamentary privilege and the protection of witnesses and giving evidence to senate committees has been provided to you. I now invite you, Assistant Commissioner to make a short opening statement and at the conclusion of your remarks, I will invite members of the committee to ask questions.

**Ms Drennan:** Thank you very much. Good morning, Chair and committee members. Thank you for inviting the AFP to provide evidence at this hearing and allowing me to make a brief opening statement. The AFP provides an enhanced arm to protective security response within the Parliamentary precinct and works in cooperation with the Department or Parliamentary Services who provide unarmed security facilitation

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checkpoint and guarding services inside the Australian Parliament House. Since December 2014, an AFP Superintendent has fulfilled the role of security controller at Australian Parliament House following a recommendation from the 2014 interim review of Australian Parliament House security undertaken by the AFP and the Attorney General Department.

The AFP Superintendent has overall command, control and coordination of all protective security capabilities at Parliament House. The AFP and DPS work cooperatively under a joint security model which we refer to as the JSM, to ensure community safety and provide prevention, deterrence and disruption including through specialist response capabilities.

The operational security and response arrangements MOU signed in December 2014 provides a framework for effective operational security arrangements between AFP and DPS at Australian Parliament House. The AFP has a role as the first point of contact for Parliamentarians, their staff and offices at Parliament House. The AFP is available to provide advice to Parliamentarians and their staff regarding appropriate processes to be followed. On 24 February 2021, the AFP commissioner wrote to the Prime Minister providing guidance for members, senators and their staff in relation to reporting criminal conduct to police without delay. While alleged criminal conduct may not always be within the AFP or ACT policing's jurisdiction to investigate and may be a matter for state or territory police, we will assist with reporting to the appropriate agency.

I want to highlight how reporting a crime intersects with the wishes of alleged victims. An investigation will always turn on the unique set of circumstances and available evidence. The earlier a report is made, the best chance police have to secure key evidence. And AFP officers are well trained in dealing with vulnerable witnesses and ensuring the rights of victims are respected. As forecast in the Commissioner's letter dated 4 March 2021, the chair of this committee, Senator Chandler, I will be limited in what I can say today to safeguard the active criminal investigation into the alleged 2019 sexual assault at Parliament House.

The AFP's priority is to maintain the integrity of a thorough and timely investigation into this serious criminal allegation. The AFP through ACT policing is investigating this matter and it is being treated with due care and attention including oversight by our sensitive investigations oversight board, known as SIOB. An internal, senior level decision making body chaired by Deputy Commissioner Ian McCartney. I will not comment further, because of the potential to prejudice the current criminal investigation and/or any subsequent prosecution.

In closing, the AFP enjoys a strong partnership with DPS and is committed to continuous improvement building on the joint capabilities currently in place. The AFP remains focussed on working with DPS to enhance safety and security within the parliamentary precinct. I now welcome the questions.

**THE CHAIR:** Thank you very much, Assistant Commissioner. Senator Ayres?

**Senator AYRES:** Thanks, Assistant Commissioner, I appreciate your opening statement and there has, I think, been some discussion on the committee about how we

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might approach or not approach some of the issues around the confidential submission that the committee may have received and the—and the issues around the allegations of rape in 2019 in the Minister's office. I do want to ask you some questions about the process issues that related to that and I am sure you will tell me if you are not intending to answer a question on the basis that you just outlined in your opening statement. Can you tell the committee whether a brief of evidence has been provided to the ACT Director of Public Prosecutions at this stage?

**Ms Drennan:** At this stage, it is an active investigation—

**Senator AYRES:** So it is still in an active investigation stage of—a brief has not been provided?

**Ms Drennan:** That is correct.

**Senator AYRES:** Okay. Thank you. You do not anticipate—you do not have a timeline in mind about whether it is a matter of weeks or months before it—

**Ms Drennan:** No, I could not comment on that.

**Senator AYRES:** Can you tell me whether the AFP investigation relates solely to the alleged rape?

**Ms Drennan:** I cannot tell you any details in relation to the investigation. It is being run by ACT policing.

**Senator AYRES:** So you cannot tell me whether there are other matters that the AFP is investigating?

**Ms Drennan:** As part of that investigation?

**Senator AYRES:** Yes. Does the investigation include, for example, an investigation of a cover up of the alleged rape?

**Ms Drennan:** I am unable to comment in relation to that—

**Senator AYRES:** Or any of the—

**Ms Drennan:** —or aspects of the investigation.

**Senator AYRES:** —or any of the actions that occurred after?

**Ms Drennan:** Yes, that is correct.

**Senator AYRES:** So there—sorry, I do not want to—

**Ms Drennan:** Sorry.

**Senator AYRES:** I do not want to—



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**Ms Drennan:** Yes.

**Senator AYRES:** —put you in an unfair position. When you said yes. What my question was, is there an investigation into the actions of DPS staff, or minister officers, in the days and weeks following the alleged rape?

**Ms Drennan:** I am not able to comment in relation to aspects of the investigation in relation to the alleged sexual assault that occurred in 2019.

And I am not aware of any of the details in relation to that investigation.

**Senator AYRES:** Could you perhaps take that last question of mine on notice and see to what extent the AFP is able to answer that question? If there are any issues that are in your direct knowledge?

**Ms Drennan:** I can take that question on notice. Yes.

**THE CHAIR:** Just—sorry, Senator Ayres, before you start on another run, would we be able to get your opening statement tabled, Assistant Commissioner?

**Ms Drennan:** Yes.

**THE CHAIR:** And provided to committee members. Thank you.

**Senator AYRES:** Thank you. Thanks, Chair—

**Senator KITCHING:** Sorry, could I just—can we—is it possible to have that now?

**THE CHAIR:** Yes, yes. Sorry. That was the—

**Senator KITCHING:** I missed a date. You said—I just want to have a look at that.

**THE CHAIR:** Are we able to table that statement now?

**Senator AYRES:** Thank you.

**THE CHAIR:** Apologies, Senator Ayres.

**Senator AYRES:** No, no. Thank you.

In evidence that has already been given to, I think, to Senate Estimates on 4 June, that the minister—Minister Reynolds said that she would—she had prepared a statement for the Australian Federal Police. And I wondered whether that statement has now been provided to the AFP?

**Ms Drennan:** I am unable to comment in relation to that.

**Senator AYRES:** So I just want to clarify, unable to comment because you do not know the answer to that question? Or unable to comment because you believe it falls within the parameters of the limitations that you say you have—that you set out in your

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opening statement?

**Ms Drennan:** Because of the limitations that are set out in my opening statement. It is part of the investigation.

**Senator AYRES:** So she said she was preparing a statement, but you are not able to tell us whether that has been provided?

**Ms Drennan:** That is correct.

**Senator AYRES:** Has Senator Reynolds submitted to an interview?

**Ms Drennan:** I am unable to provide details in relation to the investigation.

**Senator AYRES:** Okay. One last question on this—this set of issues. I read carefully the Commissioner's letter to—that I think went to parliamentarians and staff, it went pretty widely, about—and you referred to it in your opening statement, after—has there been, consistent with that statement, an amendment to the protocols that go in the relationship between the department and the AFP, between the parliament and the AFP, has there been change to the protocols that would, you know, that go to the content of the commissioners letter?

Or is this really the commissioner asserting a position, which I think makes perfect sense to me? But has there been—has there been work gone into—has there either been a change that learned some of the lessons of this allegation or is there discussions about the change in processes?

**Ms Drennan:** I am not aware of there being any change. And certainly in relation to the processes for parliamentarians to refer matters to the AFP, there was no requirement for changes based on that letter. The Commissioners letter was a reinforcement of the practices that existed at the time.

**Senator AYRES:** So it is the AFPs position that after all of this, a change is not required. What is required is a strict adherence to the protocols and policies that already existed?

**Ms Drennan:** And the Commissioners letter just reinforced the advice that had been—and is provided to parliamentarians and their staff in relation to how they can refer matters involving allegations of criminality to law enforcement.

**Senator AYRES:** Thanks, Chair.

**THE CHAIR:** Thank you, Senator Ayres.

Senator Kitching.

**Senator KITCHING:** Thank you. Thank you, Chair.

Thank you very much Commissioner for your time today.

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Can I ask just about the joint security model? Are you able to provide a summary of the relationship between DPS and the AFP under that agreement? And if possible, are you able to table a copy of that agreement? Or is that—are you able to table a copy of the joint security model?

**Ms Drennan:** I think that is a—that that would be a matter for DPS in relation to providing the policy that—and policies that articulate the security arrangements.

**Senator KITCHING:** Okay. I will ask them. They are coming a little later today, so I will ask DPS.

But thank you.

Are you able to just to give me an understanding of the roles and responsibilities of each party under that joint security model?

**Ms Drennan:** Well in general it covers the cooperatives arrangements for providing security within the parliamentary precincts and that between AFP and DPS.

**Senator KITCHING:** Okay.

**Ms Drennan:** It also—

**Senator KITCHING:** Are there—

**Ms Drennan:** —sorry, it also outlines the governance arrangements that would underpin that cooperation.

**Senator KITCHING:** So the governance arrangements to that?

**Ms Drennan:** Yes.

**Senator KITCHING:** Sorry I dismiss the lot.

Is it—could I ask, are the signatories the Secretary, DPS, and the Chief Commissioner of the Australian Federal Police?

**Ms Drennan:** Yes. It is signed by the Commissioner and that, which was Andrew Colvin at the time, in 2014. And the Secretary at the time for DPS.

**Senator KITCHING:** Who was that?

**Ms Drennan:** Carol Mills.

**Senator KITCHING:** Okay. And sorry, what is the date in the agreement?

**Ms Drennan:** 23 December 2014. Sorry, that was the date it was signed by Assistant Commissioner. And 16 December by Carol Mills.

**Senator KITCHING:** Okay, thank you.

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The reason I ask that is, when was it last updated—or is it currently under—is there a review process, so it has to be reviewed every year or three years or something like that?

**Ms Drennan:** There is not a formal mechanism to do a review in any timeframe and that. But the joint security model is under review currently.

**Senator KITCHING:** Okay. So when did that start? The review?

**Ms Drennan:** I cannot give you to official date. But the meetings between AFP and DPS commenced earlier this year.

**Senator KITCHING:** And from the discussions between the parties so far, are there any significant changes that are likely?

**Ms Drennan:** Not that I am aware of, no.

**Senator KITCHING:** Is it—so I just want to ask you about the operational security and response arrangements, MOU, between the AFP and DPS, and that was discussed in recent Estimates. In your submission, you indicated that the AFP is currently renegotiating the terms of this MOU with DPS. At whose request was the renegotiation?

**Ms Drennan:** I do not know. I would have to go back and look at some documentation in relation to the discussions. And that certainly—when I started in my role, which was in March 2020, and that, shortly after my discussions with my staff identified that there were aspects of the arrangements that we felt could be considered and updated. And I know I had some discussions with DPS. But I am not quite sure of the dates. I would have to check that.

**Senator KITCHING:** If you could, that would be very helpful. Thank you.

In the MOU is there an expiry date or is it a sort of a termless agreement? I mean I cannot imagine it would be, because it is an MOU but is there an expiry date to that?

And if you—I do not know whether you are able to table that document as it stands. But if you could, that would be helpful.

**Ms Drennan:** Yes. I mean the MOU is current. And so there is no expiry date.

**Senator KITCHING:** So if it is being reviewed will that be a new agreement or amendments to the current agreement?

**Ms Drennan:** It would be a—it would be an updated agreement.

**Senator KITCHING:** Okay. When is the review likely to conclude?

**Ms Drennan:** There is not a set timeframe in relation to it.

**Senator KITCHING:** Is the renegotiation behind schedule?

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**Ms Drennan:** Beg your pardon, sorry?

**Senator KITCHING:** Is the renegotiation behind schedule? So which—

**Ms Drennan:** I do not believe that there is a set timeframe in relation to it. There is a commitment between DPS and the AFP to review the procedures that are underpinned within that operating model.

**Senator KITCHING:** And what—and so, are there things that—there particular procedures that the AFP would like to look at?

**Ms Drennan:** No, the commitment is in relation to reviewing the entire arrangements.

**Senator KITCHING:** Could I ask is the use of force MOU under review?

**Ms Drennan:** It is part of the JSM.

**Senator KITCHING:** Does that MOU contain an expiry date?

**Ms Drennan:** I will have to take that on notice. I do not have that documentation.

**Senator KITCHING:** Could I also ask you was the use of force MOU reviewed, when was it last reviewed? How often should the use of force MOU be reviewed in your view? And in your view, are the terms of the use of force MOU appropriate or do they also need to be updated?

**Ms Drennan:** Okay—

**Senator KITCHING:** Yes.

**Ms Drennan:** —I will have to take those on notice.

**Senator KITCHING:** Thank you. Thanks.

Could I ask you about a particular recent inquiry? And my understanding is that it is concluded. So this is a—this would be an incident that occurred in the workroom downstairs in parliament. Are you able to give the committee a sort of an outline of that incident?

**Ms Drennan:** This is the incident that was referred to the AFP recently through your office?

**Senator KITCHING:** Yes.

**Ms Drennan:** So certainly I can confirm that there was a matter reported to the AFP through your office in relation to allegedly a prohibited item being brought into Parliament House and being worked on in areas within Parliament House via tradespeople.

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And that matter was investigated by the AFP. And through that investigation no criminal offences were identified. And that investigation has been concluded.

**Senator KITCHING:** And the prohibited was a rifle?

**Ms Drennan:** No, that is incorrect.

**Senator KITCHING:** It was part of a rifle?

**Ms Drennan:** It was a piece of timber and that was a stock of a rifle.

But that does not make it a firearm—

**Senator KITCHING:** No, no, no. I understand.

**Ms Drennan:** —and that—

**Senator KITCHING:** Chair, I do not know whether other Senators have questions. But otherwise I might—I just want to read through the Commissioners opening statement and I might come back if other people have questions in the meantime.

**THE CHAIR:** Senator Roberts, do you have any questions?

**Senator ROBERTS:** Yes, I do.

**THE CHAIR:** Okay.

**Senator ROBERTS:** Thank you, Chair.

Thank you, Ms Drennan, for appearing today. And I also want to acknowledge my appreciation for the work of the AFP. I have a great deal of respect for people that guard us in Parliament House. So that is acknowledged.

Have AFP members provided any comments to you on DPS? Because this inquiry is into the operation and management of the Department of Parliamentary Services. And that is where I am going to restrict my questions to.

Have any of your AFP members provided any comments about the DPS services?

**Ms Drennan:** I mean, I am responsible for the staff that are within the AFP that work at Parliament House, and that. And they closely work with and—with members from DPS. And so I regularly have discussions in relation to how our operations and activities are being conducted. And how they are being conducted with partners.

**Senator ROBERTS:** Do they bring up any concerns?

**Ms Drennan:** Not that—not any systemic concerns, and that. And that I am briefed by my superintendent, who is the senior AFP officer in Parliament House, in relation to all activities. And prior to meetings that I have with the parliament, sorry, with DPS and that, if there are things that he wants me to be aware of that are in relation to the

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relationship, then he raises them with me.

**Senator ROBERTS:** Does he update some mail? Does he bring—has you made you aware of concerns he has about the performance of the DPS?

**Ms Drennan:** No, in the contrary, and that. The relationship between the AFP and DPS is extremely good. And the sharing of information between the two agencies is excellent because jointly we are responsible for the security for the Parliament House.

**Senator ROBERTS:** That is the PSS?

**Ms Drennan:** The PSS?

**Senator ROBERTS:** Yes.

**Ms Drennan:** Yes, that is right. Yes. So we work—

**Senator ROBERTS:** Are there any vulnerabilities in the way the PSS operates?

**Ms Drennan:** Not that—not that we have—not significant vulnerabilities, and that, that we have identified. There is always areas for improvement. And where we have identified vulnerabilities then they are raised, and they are addressed.

**Senator ROBERTS:** But these vulnerabilities be material, or cultural, or both? Because cultural has a huge impact on the performance.

**Ms Drennan:** Yes, it does, and that. So I mean there is probably implications of both, and that. But through the ongoing engagement, and there is very regular engagement, and that, between the two agencies, and that, I think the issues are well known and therefore addressed.

**Senator ROBERTS:** So what are some of those issues that are well known?

**Ms Drennan:** Between the two agencies—

**Senator ROBERTS:** Well concerns with PSS in particular?

**Ms Drennan:** No—I would—there are incidences where we have raised, which relate to security, and that. So, you know, in relation to screening, for example, and that, just areas where, you know, there could be improvement in relation to that. So that has been raised with DPS. And the expectation would be that they—that they look into that matter and raise that with their staff.

**Senator ROBERTS:** And were they indicative of material or shortcomings or again, cultural or systemic?

**Ms Drennan:** Definitely not systemic. And they are just—you know, matters that have been identified. When they are identified they have been raised. And from our perspective they are addressed.

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**Senator ROBERTS:** Okay. Any feedback on the morale within DPS or PSS?

**Ms Drennan:** No, I cannot comment on that.

**Senator ROBERTS:** Competence? On their competence?

**Ms Drennan:** As in being raised with me—

**Senator ROBERTS:** Yes.

**Ms Drennan:** —in relation to concerns? That has not been raised with me at all.

**Senator ROBERTS:** Thank you. Does the AFP do audits of the security, and particularly the responsibilities of the PSS?

**Ms Drennan:** No, we do not do audits, and that. We regularly exercise the DPS in relation to our security arrangements. And we have an exercise that is coming up in the near future, and that. We discussed issues in relation to security. And we have got the, you know, the framework in place to have those discussions at various levels. And that occurs.

**Senator ROBERTS:** The new MOU—I was not listening to parts of Senator Kitchings questions, what are the topics being considered in that review?

**Ms Drennan:** As I said previously, it is all aspects of the JSM that are being reviewed.

**Senator ROBERTS:** Thank you very much.

Thank you, Chair.

**THE CHAIR:** Thank you very much, Senator Roberts.

Senator Kitching, did you have a couple more questions?

**Senator KITCHING:** Yes, Thank you.

I just want to ask about the—it was known as the white powder incident of November 2017. So this is where the head of security at DPS taste tested un-identified white powder. And I cannot remember whether it was sugar or salt. But it was one of those things. But it was against the protocol.

Obviously when you have an unidentified white powder the protocol was to sort of, you know, ensure people were not walking through that area of the building. So this was on level one in Parliament House. What—and there was a discussion around, sort of, the discussion between DPS and the AFP. And that the operating procedures were going to be worked on. That was evidence given by the AFP in Estimates.

So which operating procedures were worked on?

**Ms Drennan:** Senator, I would have to take that as a question on notice, so that I can



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provide you with the accurate information.

**Senator KITCHING:** I will give you the date—the AFP confirmed on 23 May 2018, in Senate Estimates, that it learned of this incident from media reports. So it was that they—it would have been that day, I think, but around—certainly in that group of Estimates that that evidence was given by the AFP. And I am just—they also went on to say that the AFP and the department, or parliamentary services, had worked on our operating procedures and improved those communications.

So maybe if you could take on notice which operating procedures were worked on? Were all of the recommended revisions made by the AFP adopted promptly by DPS? How were improved communications addressed by the AFP following this incident? Were all recommended communication improvements adopted promptly by DPS?

Are you—and if you are aware of any incidents or certainly your officers are aware of any incidents since the November 2017 white powder incident, which were not reported to the AFP by DPS in a timely manner, giving, you know, giving rise to, you know, a question around the operating procedures? Are you aware of any instructions or directions issued by DPS to its officers to not cooperate with the AFP?

Just one moment.

**THE CHAIR:** We do only have a couple more minutes with this.

**Senator KITCHING:** Yes, and I note—just also whether—I am just not sure whether you would be able to disclose it, but if there are reports by building occupants that relate to concerns around DPS? And if you are not able to give details, just the number of any of those incidents?

So, you know, where building occupants might say to the AFP, this is not—you know, something is not working or if they express concerns about DPS, if you are able to give us an outline of those incidents? What type of incidents they were? And if you are not able to do that, just the number of any reports that the AFP has received?

**Ms Drennan:** Okay, I would have to take that on notice—

**Senator KITCHING:** No, that is all fine, yes.

**Ms Drennan:** Yes.

**Senator KITCHING:** And I am sorry to give you so many questions in such a very short period but thank you. I appreciate it. Thank you.

**THE CHAIR:** Thank you very much, Senator Kitching.

Thank you very much, Assistant Commissioner for coming along today.

Now the committee was due to suspend for a short break at 10.25, but we will instead power through until 11 o'clock as was shadowed at the start of the meeting. And I will now welcome the officers of the Department of Parliamentary Services.

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**Short suspension**

**LUCHETTI, MS LIZ**, First Assistant Secretary, Corporate Services Division,  
Department of Parliamentary Services

**O'BRIEN, MR MATT**, First Assistant Secretary, Finance and Property Services,  
Department of Parliamentary Services

**SAUNDERS, MS CATE**, Deputy Secretary, Department of Parliamentary Services

**STEFANIC, MR ROB**, Secretary, Department of Parliamentary Services

**TUNNINGLEY, MS LEANNE**, Assistant Secretary, Security Branch, Department of  
Parliamentary Services

**LITSTER, MR TRENT**, Acting Assistant Secretary, Property Services Branch

**THE CHAIR:** I now welcome Mr Rob Stefanic, Secretary of the Department of Parliamentary Services, and other officers of the department.

I remind senators that the senators resolve that an officer of the department of the commonwealth, or of a state, shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers, or to a minister.

This resolution prohibits only questions asking for opinions on matters of policy and does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted.

Officers of the department are also reminded that any claim, that it would be contrary to the public interest to answer a question, must be made by a minister and should be accompanied by a statement setting out the basis of the claim.

For the Hansard record, will you please state your full names and the capacity in which you appear today? And we will start here and move along.

**Mr Stefanic:** Robert Stefanic, Secretary, Department of Parliamentary Services.

**Ms Saunders:** Cate Saunders, Deputy Secretary, Department of Parliamentary Services.

**Ms Luchetti:** Liz Luchetti, First Assistant Secretary, Corporate Services Division, Department of Parliamentary Services.

**Mr O'Brien:** Matt O'Brien, First Assistant Secretary, Finance and Property Services, Department of Parliamentary Services.

**Ms Tunningley:** Leanne Tunningley, Assistant Secretary, Security Branch, Department of Parliamentary Services.

**THE CHAIR:** Thank you very much.

Information and parliamentary privilege and the protection of witnesses and giving

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evidence to senate committees has been provided to you.

I now invite you to make a short opening statement. And at the conclusion of your remarks I will invite members of the committee to ask questions.

**Mr Stefanic:** Thank you, Chair.

I arrived at Secretary in December 2015, with a task to transform an organisation with chronic challenges and struck with a low morale.

Over five years on, I am proud to say that tangible and objectively verifiable results of that transformation are evident in both staff engagement and client satisfaction. We work as a team. We are a complex organisation that effectively fulfils many different functions. Our staff evidently take pride in their work and the services they provide to support your needs as parliamentarians.

As evidenced, our most recent DPS staff survey, had a participation rate of nearly 80 per cent. Itself, a strong measure of engagement by the workforce. In those results 90 per cent of staff indicated positive relationships with colleagues. 70 per cent of staff are satisfied with the culture in their work groups. 73 per cent of staff were completely engaged in their work. 85 per cent of staff have a positive working relationship with their supervisor. 89 per cent of staff are determined to give their best effort each day. 82 per cent of our workforce indicated that they are able to raise new ideas and provide innovative solutions to improve our workplace.

Satisfaction levels with DPS services recorded in the 2021 Building Occupant Survey, completed by 714 people, were all above target. There was an increase from 92 to 93 per cent satisfaction across our services, including catering, retail, visitor, art, health, and recreation, landscape, building maintenance, cleaning, security, and ICT services.

These are solid metrics that do not support the narrative that DPS is not a good place to work. It is logical that engaged and committed staff provide excellent services. The data shows there is certainly room for improvement. But the extremely positive staff and stakeholder feedback results are a more accurate reflection of a motivated, engaged, and highly skilled workforce, representing a department that committed to service excellence in support of the parliament.

I would next like to address bullying and harassment as a key point of the CPSU submission to this inquiry.

The CPSU makes a range of assertions about the DPS workplace culture. The submission was apparently informed by a survey of more than 50 employees, according to the Canberra Times, which is approximately five per cent of the workforce, which is not a statistically value response rate.

The CPSU submission states that 54 per cent of respondents, approximately 27 people, reported an increase in bullying or inappropriate behaviour.

Empirical information does not support these assertions. Data collected from DPS exit surveys, employee systems program data, WHS Peak Committee Minutes, recent DPS

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consultative forum Minutes, and the 2020 survey of harassment contact officers, demonstrate that the CPSU's claims are simply not accurate.

The CPSU itself has been unable to provide DPS with valid examples of bullying and harassment to support its claims. Actual bullying and harassment complaints have hovered between three and six complaints since 2016-17.

The 2020 DPS employee survey results, which had a participation rate of 79 per cent, 718 staff, confirmed that there has been a gradual decrease in the number of staff reporting experience of bullying and harassment incidents, with the reduction of two per cent for 2020. The results are consistent with the APS average survey results.

DPS has a number of publicised mechanisms for staff to raise complaints that is consistent with the APS. Some are confidential or governed by protections. Bullying and harassment training is mandatory in DPS. And we have 20 harassment contact officers spread across the department.

Culture change. A transformation process has required building capability, resilience, and commitment to improving our culture. We have invested heavily in our cultural change program, as articulated in our submission to this inquiry.

Our culture change process is underpinned by the parliamentary service values, committed to service, ethical, respectful, accountable, and impartial. While culture change involves coaching for desirable behaviours, it also requires calling out bad behaviour. The key to achieving positive culture is to challenge bad behaviour which is corrosive to staff morale.

The key component of our culture change program has been to address behaviour that is not consistent with the Parliamentary Service Code of Conduct, and the Parliamentary Services Values.

The code of conduct and values are enshrined in the Parliamentary Service Act. We are obligated to ensure that they are followed. In most cases, education, counselling, and cautions have been the outcomes code processes. And in a very small number of extreme cases, where a serious breach has occurred, termination or opportunities to resign have been provided.

Like every organisation, we have a marginal cohort of staff that behave inconsistent with the code of conduct and values. Misconduct in various cases was proven to be dishonest, disrespectful, bullying, threatening, and even unlawful. This cohort dishonestly recast themselves as victims and whistle-blowers, and they are not concerned to give false evidence to a parliamentary committee.

In my time we have managed our code of processes correctly. And our decisions have withstood administrative and legal scrutiny in various forums, including the Merit Protection Commission, the Ombudsman, the Fair Work Commission, and the Federal Court.

I wish to quickly address the lines of questioning about codes of conduct. I reject the claims were made by the CPSU about the use of code of conduct processes.

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The suggestion that codes of conduct are used heavily-handedly, the data shows that codes are used sparingly, and terminations are extremely rare. The suggestion that codes of conduct take years, the data shows they do not. That consultation is poor, or that they are broken down, our data indicates that this is, in fact, strong.

I think this example highlights my experience over the last five years, that much of the information being provided to the CPSU lacks integrity. It is apparent from sitting here this morning that misinformation is being provided to the other unions also appearing here today.

The words management and toxic have been used in various and general lies ways but with limited actual examples. We can address the examples they have given today, particularly the concerning ones about safety.

I am proud to say that DPS is far removed from the organisation that was last reviewed by this committee. We actively live the parliamentary service values and expect all our staff to do the same. We manage our administrative and legal processes properly. We meet our accountability requirements under strong scrutiny. We consult with and respond to issues raised by our staff, particularly through workplace forums.

We manage our important building safety. We work collaboratively with our colleagues in the parliamentary departments and the AFP. We are delivering on the most ambitious program of capital works since the building was constructed. And we have safety managed Parliament House through the COVID-19 pandemic, including the enabling of the parliament to remotely continue with work.

I am proud of our staff and the work that they have put in over the five years to make that happen. And I thank them all for their efforts. Our transformation has been a collective achievement. I know that we are not perfect. But we are a learning organisation and we do respond to issues raised to proudly serve our parliament. Chair.

**THE CHAIR:** Thank you very much, Mr Stefanic. And I might pre-empt a question that I am sure will come from a senator of the committee. If we could have a copy of your opening statement tabled, I think that would be appreciated?

**Mr Stefanic:** Thank you, Chair. I am arranging for that at the moment.

**THE CHAIR:** Mr Stefanic, before I hand over to other senators, you addressed, in general terms, some of the claims that were made by the unions that appeared before you this morning. But were there any other comments, particularly around the submissions from the ETU, the AMWU, and the Plumbing Trades Employees Union as well, that you would like to address? I note that most of your opening statement referred to the CPSU.

**Mr Stefanic:** Yes. I might hand over to Mr O'Brien, who heads up our property area, as well as finance, who will have some more information for you.

**Mr O'Brien:** Thank you, Secretary. And thank you, Chair.

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Matt O'Brien, First Assistant Secretary, Finance and Property Services Division. And I would like to make a short statement to provide the committee with some further information around work we are doing within our property services branch that provide some relevant context for the issues covered by the representatives from the trade union in this morning's session.

In late May, it was the management team from property services that invited the three trade unions, that spoke to the committee this morning, to a team meeting—a combined team meeting about mechanical and electrical services teams, so that we could all hear from those team members about what it was like working in the team, and with each other more broadly across the department.

At the opening of that meeting I encouraged our team members to have the courage to say what was on their minds and reminded everyone that we were all in the room for one purpose. And that was to listen to feedback provided and to understand what we can do together to make things better.

We thought that having team members, management, and the union representatives, all present for that conversation was the best way to address the fact that there appeared to be a significant gap between what union representatives have presented this morning as the culture of this team, which we understand was based on comments from an undisclosed number of union members from these teams.

And what we could see as managers through our day-to-day interactions alongside what was coming through in the recent departmental survey, whereas the secretary has said 80 per cent of our staff responded.

During the meeting staff raised points for discussion in a range of areas, including operational practice, workings of the enterprise agreement, knowledge sharing between experienced and new staff, the culture on the shop floor, communication across teams, and the value provided by trade staff being engaged more broadly in project planning and delivery.

We recorded all the issues that were raised and separated out the operational issues for immediate response, committing to the meeting that we should continue to involve team members and union representatives in discussions concerning the progress of addressing those issues.

At the conclusion of these discussions, which went for about two hours, management left the meeting to provide our team members and the union representatives with the opportunity to have a conversation on their own. This lasted for about 15 minutes. And the feedback that was provided following the meeting from team members, from union representatives, and management alike, that it was a valuable exercise.

The reason I have covered the meeting in this level of detail is because we heard this morning from the union representatives at a relatively detailed level. And in my view, the fact that we chose this path to encourage discussions from all parties is a strong example of what the Secretary refers to as the service values articulated in the departments living the values documents translating into action.

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As a result of that meeting, a small number of operational issues were identified that had potential safety issues attached to them. We heard about these issues this morning. One was an electrical distribution board. And there were some ladders that were being referred to.

These issues were taken on face value as presented at the meeting and were set as priority issues to be investigated and addressed. We are able to provide a progress update on those issues for the committee if required.

As the Secretary has already said, we are proud of our safety record in DPS and note that within the property services branch we have not had a notifiable incident to Comcare since August 2019.

The last point I wanted to briefly cover is a snapshot of the survey outcomes for the property services branch, because this provides a valuable set of measures on where our staff think they are now, noting that 80 per cent of our staff within the property services branch also participated in the survey.

So some of the measures that are worth noting are: 83 per cent of our staff say they have a positive relationship with their co-workers; 87 per cent of our staff say they understand how their work enabled DPS to achieve its purpose; 90 per cent of our staff say they give their best effort at work each day; 78 per cent of our staff feel that there are adequate avenues to raise concerns about workplace bullying and harassment; 76 per cent of staff say they are satisfied with the opportunities for professional growth and development; and 71 per cent of our staff feel that communication with their senior management is effective in supporting their work.

Although we recognise there is room for improvement, these numbers present an overall positive perspective from the 80 per cent of staff who participated in the survey and will form the basis for an ongoing conversation and further strengthening our positive culture and working collaboratively to achieve the best results for the department.

**THE CHAIR:** Thank you very much for that, Mr O'Brien.

**Senator KITCHING:** Can I ask, is that available—are you able to table that?

**Mr O'Brien:** I can table it electronically—get it tabled electronically, yes.

**Senator KITCHING:** Yes, perfect.

Can we get both Mr Stefanic's and Mr O'Brien's statements as soon as possible?

**THE CHAIR:** Yes, yes.

**Senator KITCHING:** Thank you. Thanks.

**THE CHAIR:** Thank you.

Mr Stefanic, in your opening statement you referenced that the CPSU was unable to provide evidence to support some of their bullying and harassment claims. So you

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obviously engaged with the unions around some of the concerns that they have raised and said, this is something we need to look into. Can we provide—have that evidence provided to us? And that evidence was not forthcoming. Is that your submission?

**Mr Stefanic:** That is correct, Chair. So I requested a meeting with the Deputy Secretary of the CPSU, following media reports by the CPSU about the motivate—the incorrect assertions about the motivations for the issue of DPS’s media contact policy.

That was the primary driver for requesting the meeting. Because I wanted to make very clear that the information was incorrect. But also, I had flagged that I had other issues in terms of what they were saying.

The CPSU then quickly—so I asked if there was any examples that they could raise with us so that we could address them? All that was produced is another short survey, which I believe was—has been published in the supplementary submission. I have not had a good look at it this morning. But again, they had been completed by a small number of members.

So again, there has not been any case studies or examples demonstrated. We just sort of get these statistically questionable surveys that really do not—if there is a problem, I want to fix it. I cannot fix the problem if I just get vague statistics that say that there is an issue. I do not—the suggestions that there is cover ups by management is just illogical. We work in a highly scrutinised environment.

I do not—there is absolutely no incentive for behaviour like that. So we obviously want to make sure that the place is functional. Because if it is functional then we can fulfil our service needs to you all.

**THE CHAIR:** And what about the comments we heard this morning around witnesses being encouraged not to appear or to make submissions to this committee? I know we canvassed some of this at Senate Estimates a couple of weeks ago. Any reflections on your position as Department Secretary—

**Mr Stefanic:** Yes.

**THE CHAIR:** —on whether or not that would be acceptable, if it were occurring?

**Mr Stefanic:** I do reject it. And I would find that unacceptable. And as an example, if I did hear about that, I would deal with it through .....(indistinct)... [10.47.02]

**THE CHAIR:** Thank you very much, Mr Stefanic.

Senator Kitching.

**Senator KITCHING:** Thank you.

Thank you for your time today and for your submission. Can I—is Mr Litster available to attend? He is on the list.

**Mr Stefanic:** Mr Litster.



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**Senator KITCHING:** Yes.

Mr Litster, could I ask, did you attend Parliament House during the weekend of 5-6, June 2021?

**Mr Litster:** I am not sure, Senator.

**Senator KITCHING:** Do you usually come in on a weekend?

**Mr Litster:** Yes, I quite often come in on a weekend, yes.

**Senator KITCHING:** Are you able to check? So it was not last weekend, the Queen's Birthday Long Weekend—

**Mr Stefanic:** Senator, could—I mean, the protocols have been established that the witness has an opportunity to see what the nature of the claims is being made against him rather than playing 20 questions with somebody was here—

**Senator KITCHING:** It is not 20 questions, Mr Stefanic. It is not 20 questions. And please do not say that it is that. Do you understand?

**Mr Stefanic:** Senator, I do understand that, Senator—

**Senator KITCHING:** Thank you.

**Mr Stefanic:** But Mr Litster has an opportunity to see what the claims being made are—

**Senator KITCHING:** And I think he is checking his diary.

**Mr Litster:** June—

**Senator KITCHING:** 5-6.

**Mr Litster:** I am not sure why I was in there, yes.

**Senator KITCHING:** I will ask you anyway. Maybe that will refresh your memory?

So I want to ask you, which security point you entered? And did you—do you ever enter the building, particularly on that weekend, through a security point that is not staffed?

So it is two weekends ago.

**Mr Litster:** Two weekends ago. That was when we had the issue—I do not usually come through a security point that is not staffed, no.

**Senator KITCHING:** The reason I am asking this, and I am just going to check.

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So it was not—so last weekend was the Queen’s Birthday Long Weekend—

**Mr Litster:** Yes.

**Senator KITCHING:** So it would have been—it would have been after Estimates.

So do you recall a Sunday you were in?

**Mr Litster:** Yes.

**Senator KITCHING:** Recently? Yes?

**Mr Litster:** Yes, yes.

**Senator KITCHING:** Okay. Good, Thank you.

Now—so that when you entered the building, did you enter through a security point, and it was not staffed?

**Mr Litster:** Yes. So what happened that weekend, we had an issue with an electrical upgrade. The—we had some doors that were malfunctioning. And I came into the building to meet with the trade staff to find out what was going on and see how it was being affected. I arrived roughly about 10 o’clock, there or thereabouts. And I came up through the ministerial entry. And they were attending to the door that was not working.

And as I walked through the x-ray machine, they were walking up towards to me and said, “you cannot come this way. You need to leave back through the x-ray”. And then I went back down the stairs and came in through the—point 8, I think it is called—

**Senator KITCHING:** Sorry, it is 1A?

**Mr Litster:** I think it is called point 8—

**Senator KITCHING:** Point 8—point 8, yes.

**Mr Litster:** The carpark—ministerial carpark. And up to the door that was malfunctioning.

**Senator KITCHING:** And did you ring Mr McKinnon because security told you to go back to Point 8?

**Mr Litster:** That is right, yes.

**Senator KITCHING:** And you phoned Mr McKinnon?

**Mr Litster:** Yes.

**Senator KITCHING:** And did you complain that someone had made you go through another entry point?

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**Mr Litster:** No. I said, “mate, just a heads up. We have got this area down. I think you might be understaffed here. Heads up, you might—you know, I have got in about 10 metres—you know, we need to address it”. And he said, “No problems, I am on it”.

**Senator KITCHING:** So did you contact anyone in the security branch being sent back to another security point?

**Mr Litster:** No, just Brayden McKinnon.

**Senator KITCHING:** And that point is never staffed, is it?

**Mr Litster:** I do not know.

**Senator KITCHING:** So is this—so who would know whether that point is staffed? Who can tell me which points are staffed and which points are not staffed? Mr Stefanic?

So out of hours, what points are not staffed?

**Mr Stefanic:** I might request—

**Senator KITCHING:** Ms Tunningley.

**Mr Stefanic:** I might just request Ms Tunningley to come up just to shed some light, if possible.

**Senator KITCHING:** Thanks, Mr O’Brien.

**Ms Tunningley:** Thank you.

**Senator KITCHING:** Could you tell me what points are not staffed after hours or out of hours?

**Ms Tunningley:** Leanne Tunningley, Assistant Secretary, Security Branch.

Thank you, Senator. I am conscious in this forum that sharing—publicly disclosing information about security points—

**Senator KITCHING:** Yes, but that is what I want—that is what I sort of want to ask about. Because my understanding is you can get through one of the security points after hours and not be checked. So my concern is that if someone drops a pass somewhere and someone new—though I agree with you about disclosing that kind of information.

Then someone, if they knew the building, and knew the security access points, they could get into the building without having been checked. So are points not—

Chair, we might have to have a private briefing on this or receive some in-camera evidence, because there is a concern about that.

So I do not know when we want to do that. And it would be preferable to do it today, I would imagine.

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**THE CHAIR:** It certainly would be preferable. In fact, I feel it necessary to do it today. It is five to eleven now. What commitments—

**Senator KITCHING:** I have actually sorted my—

**THE CHAIR:** Okay.

**Senator KITCHING:** —I have got other people doing things so that I could—

**THE CHAIR:** Okay, good. Well we might—

**Senator PATERSON:** Chair, can I suggest we should go straight into an in-camera session now—

**THE CHAIR:** Okay.

**Senator PATERSON:** Senator Kitching, does not need to leave—

**THE CHAIR:** Okay.

**Senator PATERSON:** So this issue can be canvassed in private—

**THE CHAIR:** Yes.

**Senator PATERSON:** Rather than on the public record.

**THE CHAIR:** Yes, of course. Okay.

Well the committee will move in-camera and will briefly suspend so that everyone can wonder out for a bit and get some fresh air.

**Hearing suspended from 10.56 am to 11.33 am.**

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**THE CHAIR:** The committee will resume in public session. And Senator Paterson was seeking the call.

**Senator PATERSON:** Thank you, Chair.

I would like to follow up some of the evidence from the CPSU this morning about code of conduct processes. They said that it was often used in pursuit of minor mistakes. Could you give some examples in de-identified way that protects people's privacy of the sorts of incidents that would prompt a code of conduct process? And whether or not they are—they constitute a minor mistake?

**Mr Stefanic:** Perhaps I might ask Ms Saunders to talk to the process.

**Ms Saunders:** So some recent examples have been threatening and aggressive behaviour. It breaches our security policy and process. Fraud allegations—sorry, I do have these written down, but I am going from memory.

**Senator PATERSON:** Yes, that is fine.

**Ms Saunders:** They represent the majority of them. I will just check with Ms Luchetti to see if I have missed any.

**Ms Luchetti:** Yes. There was security breaches from would aggressive behaviour.

**Ms Saunders:** And bullying and harassment as well, Senator.

**Senator PATERSON:** Yes. So the—I mean, they all sound like serious matters to me, not minor mistakes.

The CPSU referred to—I asked them, they said it happened a number of times. They were only able to find one concrete example. And the one concrete example they provided was a security member self-clearing to enter the building. Is that—are you aware of that case?

Is it true that that was the only transgression that resulted in a code of conduct process?

**Ms Saunders:** I am aware of the case. If you would like, I can provide some more detail in relation to that—

**Senator PATERSON:** Yes please.

**Ms Saunders:** But firstly I will add, it was not actually—that particular case was not managed as a formal code of conduct process.

**Senator PATERSON:** Right.

**Ms Saunders:** But I am familiar with it—

**Senator PATERSON:** Yes.

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**Ms Saunders:** As I am with all of them.

In that case the staff member appeared to remove something from a bag, walked through the magnetometer, wait for his bag to be cleared through, and then go and place something back in the bag. So we did consider that to be serious—

**Senator PATERSON:** Do you know what the item was that was removed?

**Ms Saunders:** No, I do not have that much detail. Because the concern really was about the breach of the security process.

**Senator PATERSON:** Yes.

**Ms Saunders:** The—I guess, the process to manage it was, as I said, non a formal one. But that staff member was counselled and was moved into a—back into his substantive position. He had been in an acting higher duties role.

**Senator PATERSON:** Yes.

**Ms Saunders:** But there are other—there were other matters that have been managed over a number of years.

**Senator PATERSON:** With that same employee?

**Ms Saunders:** With that same employee, yes.

**Senator PATERSON:** Yes.

**Senator KITCHING:** When does the—when was the self-clearing—or whatever the terminology is, when was that?

**Ms Saunders:** I believe it was in—it was in 2020. I will just get some more information. We can that for you, Senator—

**Senator KITCHING:** Thank you.

**Ms Saunders:** I am certain it was 2020.

**Senator KITCHING:** Thank you.

**Senator PATERSON:** So that—I mean, I am pleased to have more detail, because that is not how the CPSU presented it to us. They told us it was a code of conduct process, which appears to be untrue. And they told it was accidental, walking through a security screening point without being checked.

It sounded to me more like that there was some attempt to evade the security process, which is very serious.

So I think that really calls in question the credibility of the evidence given by the CPSU.

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The CPSU said that the 12 matters that were formal code of conduct processes in 2019-20, and the four in 2020-21, were a large number of cases, even given you have a workforce of about 1,000 people. Are those years representative? Is that roughly the number of code of conduct matters that you have? Or is that unusual? Because the CPSU implied that it was unusual because of COVID.

**Ms Saunders:** No. I mean that—those statistics are correct. So in 2019-20 there were 12 cases investigated. 20-21 there were six cases investigated.

**Senator PATERSON:** Yes. And what about any previous years you can give us? What about 18-19 or 17-18?

**Ms Saunders:** We have got that at hand. I do not have that in my summary sheet—

**Senator PATERSON:** Yes.

**Ms Saunders:** —but Ms Luchetti is looking that up at the moment—

**Ms Luchetti:** Yes, I will find it.

**Senator PATERSON:** All right, thank you.

I mean how would you characterise a staff of about 1,000 people and 12 or six, or whatever the cases, do you think that is a lot of bad cases to use a code of conduct process for?

**Ms Saunders:** I do not think it is an excessive number, no, Senator. You know, and I have had experience of managing HR branches directly in two other agencies. One of a similar size, one much larger. And those numbers are fairly representative.

**Senator PATERSON:** Just—I will just wait for that further data.

**Ms Saunders:** It was three for 2018-19.

**Senator PATERSON:** Three.

**Ms Saunders:** Yes.

**Ms Luchetti:** Three breaches.

**Senator PATERSON:** Right, okay. So again—

**Ms Saunders:** Sorry, was that breaches—

**Ms Luchetti:** Three breaches.

**Ms Saunders:** —or cases investigated—yes—

**Ms Luchetti:** Three breaches.

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**Ms Saunders:** —they are actual breaches—

**Senator PATERSON:** Breaches, yes.

**Ms Saunders:** But Ms Luchetti will still find the number of cases.

**Senator PATERSON:** Okay. Well I will be interested to have that when it is available.

But again, it sounds like it is broadly consistent. 18-19 was not a COVID year. So the CPSU's evidence that it was different because these years were COVID years does not appear to be true.

Chair, noting the statement that you read out at the beginning of the hearing about the consequences for giving false or misleading evidence to a committee, I want to flat that I think this might need follow up from the committee for a subsequent explanation from the CPSU.

Because it appears to me that false evidence has been given to the committee. And I treat that as a very serious matter. And I do not think we can conduct an inquiry like this if witnesses are giving false evidence to us and we cannot rely upon it.

**THE CHAIR:** Okay, we will look back at the evidence after today and move forward from there ...(indistinct)... [11.40.11].

**Ms Saunders:** Thank you.

**Senator KITCHING:** Just on—yeah, just on the stats, could I ask how long in let us say the 2018/2019/2020/2021 and are you reporting these incidents on a calendar year or a financial year? So I am right to say 20—all of calendar—

**Ms Saunders:** No, they are financial year.

**Senator KITCHING:** They are financial years.

**Ms Saunders:** Yes.

**Senator KITCHING:** So, can I get 17/18, 18/19, 19/20, 20/21? Nearly. Nearly done.

**Ms Saunders:** Yes. I know Ms Luchetti has that, so I will grab it for you.

**Senator KITCHING:** Just on the—firstly the number.

**Ms Saunders:** Yes.

**Senator KITCHING:** But also, the time it takes to finalise the code of conduct inquiries.

**Ms Saunders:** Yes, we can.

**Senator KITCHING:** Yes.



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**Ms Saunders:** But there is some, I guess, general information that I can, like, send you through in relation to that.

**Senator KITCHING:** Yes, that would be great.

**Ms Saunders:** I think it is very important to note that one of the things that we are very conscious of and take very seriously is providing procedural fairness to staff who are being investigated for code of conduct matters. So—

**Senator KITCHING:** Do you do that in a mediation?

**Ms Saunders:** —I think—a big—there is a number of different ways but throughout the investigation process itself, that is not a mediation process, that is a formal investigation we—really there is no exception to this. We have people being investigated who formally write to us and ask for extensions of time for which they can provide responses to us. They also often seek delays to when they are being interviewed by the investigator. So it is—those periods of time that contribute significantly to what might be perceived as a lengthy investigation process.

**Senator KITCHING:** Who is the investigator?

**Ms Saunders:** It differs.

**Senator KITCHING:** So it is not someone in the—is it somebody in DPS?

**Ms Saunders:** It can be. So we do have someone who undertakes investigations internally, but for the most part, we engage external investigators.

**Senator KITCHING:** So, sort of like a dispute resolution mediator—

**Ms Saunders:** No, investigators.

**Senator KITCHING:** Investigators.

**Ms Saunders:** Yeah, yeah.

**Senator KITCHING:** And what are their—what do they—

**Ms Saunders:** Because we are talking about the formal process.

**Senator KITCHING:** Yes.

**Ms Saunders:** So there is also a formal processes that are undertaken where the matters are much more serious. And some of the, I guess, the actions or methods to resolve the issue could be a facilitated mediation session. But when we are into the formal code process and there is an investigation underway, then the focus is on completing the investigation. And once a breach, if—if a breach is found, then—and a sanction is I guess provided or imposed, then through a Fair Work process, Fair Work Commission process, the first step is conciliation. So if that is what you are referring to—

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**Senator KITCHING:** Yes. I know. Yes.

**Ms Saunders:** —with mediation.

**Senator KITCHING:** So with the investigators, where do they come from? I mean, do you have a firm you use?

**Ms Saunders:** A variety. No, there is a variety. So there is a panel that we access as all other agencies do.

**Senator KITCHING:** And you—is there a contract notice for that or can you give me the panel, the names, just on notice? I do not need it now.

**Ms Saunders:** Yes. We can provide it.

**Senator KITCHING:** Was it done through an AusTender process? The panel?

**Ms Saunders:** I believe we piggy-back off another agency's process, but Mr Brigden will have that information.

**Senator KITCHING:** Sorry? Ms?

**Ms Saunders:** Mr Brigden would have—yes, here he is.

**Senator KITCHING:** Mr...(indistinct)... [11:43:57].

**Ms Saunders:** ...(indistinct)... [11.43.58].

**Mr Brigden:** Yes, I will get up. Rob Brigden, Assistant Secretary of Corporate Operations Branch.

**Senator KITCHING:** Just on the—do you piggy-back off another agency's panel?

**Mr Brigden:** That is correct, yes.

**Senator KITCHING:** Which agency?

**Mr Brigden:** I have a feeling it is the Australian Tax Office Panel, but I would have to confirm that.

**Senator KITCHING:** Yes, just if you—that would be great. In terms of their codes of conduct, the formal, I think, parts of them. Or the formal investigations that have occurred since 2017/18, how many—how many incidents or how many of those have the person being investigated have asked for an—for an extension to time periods? Is it all of them?

**Ms Saunders:** We will have to get that to you on notice, Senator.

**Senator KITCHING:** Do you have a rough feeling for it? Is it half or few or—

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**Ms Saunders:** It is a normal course of action. I couldn't give you the exact number off the top of my head.

**Mr Brigden:** I think in terms of absolute initial procedural fairness, as a matter of course, if there is a request for an extension and we would grant—

**Senator KITCHING:** Okay. And when they first come to being, you know, when you are telling them that this process is going to be undertaken, that they have a support person with them, and—

**Ms Saunders:** Well, if—

**Senator KITCHING:** If they want—if—you are—they are given the option of having someone, yes.

**Ms Saunders:** If—yes, if that is a ...(indistinct)... [11.45.33] partner.

**Senator KITCHING:** Yes, yes. So without any extensions, how long should the process take?

**Ms Saunders:** You cannot put a time limit on it, Senator, because it depends on the nature of the case. It depends on what—it is like any investigation. It is similar to the evidence of the assistant commissioner ...(indistinct)... [11.45.52] is given as—

**Senator KITCHING:** But it would not be two years?

**Ms Saunders:** But it is—it is impossible to say how long it would take—

**Senator KITCHING:** So it could be two years.

**Ms Saunders:** Well, because it depends on—

**Senator KITCHING:** I understand—

**Ms Saunders:** —the interaction between the person who is being investigated and the investigator and what comes out through the investigation—

**Senator KITCHING:** So it could take a considerable amount of time?

**Mr Stefanic:** It could. There is one example I am thinking where the person being investigated was on a period of extended leave and was—and made themselves unavailable for a ...(indistinct)... [11.46.23] for three months or something like that or was a—

**Senator KITCHING:** So—

**Ms Saunders:** And—and then for some additional extension—

**Senator KITCHING:** So—so sorry, Mr Stefanic, I just did not hear that—I think

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because you were away from the mic, so—so that—in this—

**Mr Stefanic:** Sorry, my apologies—

**Senator KITCHING:** In this particular case, someone was—they asked for three months? They asked for it or they could not—

**Mr Stefanic:** Yes, they had planned extended leave.

**Senator KITCHING:** I see, yes.

**Mr Stefanic:** So there was a period of some—...(indistinct)... [11.46.43], like—

**Senator KITCHING:** Yes, yes. And they wanted to take—

**Mr Stefanic:** I am thinking that at the time, frankly, I can recall it was a considerable period of time so that was incorporated, so extensions were provided again to—to enable that.

**Senator KITCHING:** But depending on the type of enquiry, it could take a—it could take two years?

**Ms Saunders:** Well, it could take as long as it—

**Senator KITCHING:** Yes.

**Ms Saunders:** —the investigator needs to—

**Senator KITCHING:** But I think that—

**Ms Saunders:** —work their process.

**Senator KITCHING:** I think that is consistent with the CPSU's understanding from their members. That it can take—

**Ms Saunders:** This sounds like a very—that is not a period of time I am familiar with, Senator.

**Senator KITCHING:** No.

**Mr Brigden:** Could we establish some statistics?

**Senator KITCHING:** Yes. I would—that would be—well, given there is not that many cases, so I think you said three in 17/18. Maybe you are able to give us exactly from 17/18 to present, you are able to give us the lengths of time for each one? Is that good? Thank you.

**Mr Brigden:** We will. We will.

**Senator KITCHING:** Thank you.

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**Ms Saunders:** I am sorry, Senator, there is one case—the one that Mr Stefanic was referring to that I believe started in 2018 and it was not finally concluded through Fair Work Action until either late 2019 or early 2020 and that involved extensive periods of time where the investigation was extended because that particular person was requesting that from the Department and we accepted that—

**Senator KITCHING:** No, I understand all that. So maybe in that instance, you are able to give me the time from the start to initiation of Fair Work proceedings.

**Ms Saunders:** We—I think we can get that today.

**Senator KITCHING:** Great. Thank you. That would be really helpful. Now, I might just go—I do want to ask you about the legal recruitment processes. Firstly, how many—so, I am going to ask you and because it is—both you and Ms Saunders, you and Ms Tunningley worked together at the AP. How many—so how many executive level officers have worked previously in other places of employment together?

**Mr Stefanic:** It would be very few.

**Senator KITCHING:** So the—Ms Saunders and Ms Tunningley, that is one example, the head chef, I think, at DPSU, had worked with previously in the New South Wales Parliament.

**Mr Stefanic:** Correct.

**Senator KITCHING:** Are there any other instances?

**Mr Stefanic:** There may be instances where people have worked in the same organisation but not necessarily have worked—

**Senator KITCHING:** Together, yes.

**Mr Stefanic:** —together.

**Senator KITCHING:** And I am not suggesting by any means that just because you work together, you were friends.

**Mr Stefanic:** Yes, no.

**Senator KITCHING:** Because that does not always happen.

**Mr Stefanic:** And in terms of the - in terms of the chef—on my—you know, since you raised it, Senator, I was very clear to have no involvement in that process at all, because I had worked with the chef closely in New South Wales.

**Senator KITCHING:** Okay. And is that a formal policy that you have, you know, in the recruitment processes that anyone who may, you know, bring a conflict or that you would remove yourselves, is that a formal policy?

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**Mr Stefanic:** Yes. So we—well, it may not be removal. But there is a strict conflict requirement.

**Senator KITCHING:** Yes.

**Mr Stefanic:** Which requires you to identify whether you do or do not have a conflict based on either relationship or previous relationship and then it is a matter for the panel to make a decision whether that conflict is an issue for the—the impartiality of the outcome.

**Senator KITCHING:** So what—what panel is that? Is that the recruitment panel?

**Mr Stefanic:** The recruitment panel, yes.

**Senator KITCHING:** And who is on the recruitment panel? You are—you are on it?

**Mr Stefanic:** No, no. Not in every case so the recruitment panels can vary on each occasion, particularly if a, say, a senior executive level upon which we will usually have an independent ...(indistinct)... [11.50.53] the organisation. And for example in, you know, my recruitment process that I ran for the Deputy Clerk in the Senate.

**Senator KITCHING:** Yes, yes.

**Mr Stefanic:** I was on that. And so was the—the CEO of the—of the High Court. The CEO and Registrar of the High Court.

**Senator KITCHING:** What is the typical advertising period? Do you have—so do you have, firstly, a policy around advertising positions?

**Ms Saunders:** We have a recruitment policy.

**Senator KITCHING:** Are you able to table that?

**Ms Saunders:** Yes, we can get that for you.

**Senator KITCHING:** Thank you.

**Ms Saunders:** It may not be immediate—

**Senator KITCHING:** No, no, that is okay. So in that, you would advertise for a fixed period of time or does that depend on the position? Is there a period you always advertise for?

**Mr Stefanic:** Yes. So there was - the first point I guess, is whether it is an ongoing or non-ongoing position. Whether it is temporary or permanent. And then you would—if it is a non-ongoing, then there would typically be a timeframe associated with that. If it is externally advertised, I do not think there is a time-limit on the appointment.

**Ms Saunders:** But it is generally between one or two weeks.

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**Senator KITCHING:** Okay. So you advertise that the panel is chosen—is it sort of—do you have three people? Were there three people for Ms Saunders?

**Mr Stefanic:** So there was—yes.

**Senator KITCHING:** Yes, and is it typically three people?

**Mr Stefanic:** No, it can be more.

**Senator KITCHING:** Okay. And who chooses—who makes the composition of the panel? I mean, who chooses that? Do you—do you choose that?

**Mr Stefanic:** Yes. The Chair. Whoever is appointed the Chair of the panel will make the decisions on selection.

**Senator KITCHING:** Okay. And Ms Saunders, you were not on Ms Tunningley's panel?

**Ms Saunders:** I was on Ms Tunningley's panel. No, I was ...(indistinct)... [11.53.00].

**Senator KITCHING:** So in terms of the form that—where you tick yes or no, you ticked yes, I do know.

**Ms Saunders:** Yes, I did.

**Senator KITCHING:** And then did you have to explain—how did you explain that you should be on the panel?

**Ms Saunders:** I would have to go back and see what I wrote, but I would have explained that Ms Tunningley ...(indistinct)... [11.53.21] worked together ...(indistinct)... [11.53.26]. It would be words to that effect. On that panel was an independent member who was the representative of the APFC and so it is that person's role to check to make sure that all the processes are being followed properly including conflicts.

**Senator KITCHING:** Okay.

**Ms Saunders:** The—the declaration forms have been filled in properly.

**Senator KITCHING:** So can I ask, Ms Saunders, did you know the prior to—and not just—these are for the forms for where you are ticking yes or no. Did you tick yes to the assistant secretary of communications and corporate relations?

**Ms Saunders:** No, I ticked no.

**Senator KITCHING:** Do you know Mr Edwards?

**Ms Saunders:** No—well, I do now. I did not at all—

**Senator KITCHING:** But not at the time.

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**Ms Saunders:** —the interview, no, I had never met—

**Senator KITCHING:** The—

**Ms Saunders:** —Mr Edwards before I took the interview.

**Senator KITCHING:** The security service delivery director?

**Ms Saunders:** I am not sure which one you are referring to, Senator?

**Senator KITCHING:** Judith—Judith Keogh?

**Ms Saunders:** Sorry?

**Senator KITCHING:** Judith Keogh?

**Ms Saunders:** I was not on that panel.

**Senator KITCHING:** Okay. The assistant secretary—it is Ms Tunningley? And for your—so where you are employing executive assistants, did you know your EA prior to working to her—to that person working with you?

**Ms Saunders:** I did, Senator.

**Senator KITCHING:** And did you—you ticked yes on that form? Or were you on the panel?

**Ms Saunders:** That was not a panel, Senator, that was a—

**Senator KITCHING:** It was just you?

**Ms Saunders:** That was a—no, it was not just me. It was a—a transfer from another Parliamentary Department. So there was not a recruitment ...(indistinct)... [11:54:50], so there was no promotion—

**Senator KITCHING:** Because she was already at APS?

**Ms Saunders:** —it was just a transfer of level.

**Senator KITCHING:** Yes. Okay. And Ms Tunningley, you—your EA prior to working in your current role?

**Ms Tunningley:** I do not currently have an EA at the moment.

**Senator KITCHING:** But I think you did employ an EA or had an EA?

**Ms Tunningley:** I have. I have had a few EAs, yes.

**Senator KITCHING:** And did you know one of them prior to working ...(indistinct)... [11.55.12].



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**Ms Tunningley:** No.

**Senator KITCHING:** No, okay. Could I get any of—could I get the advertisements or where for example, Mr Stefanic or Ms Saunders that you were on a panel? Is that possible? I do not want to—I do not want to overload you, so if it is too much work, I am not going to ask for it. But if you could give me a sample—

**Ms Saunders:** No, we can—

**Mr Stefanic:** The advertisements for the roles?

**Senator KITCHING:** Sorry?

**Mr Stefanic:** The advertisements of the roles? For the roles is what you are after?

**Senator KITCHING:** Yes, for the director of ...(indistinct)... [11.55.44] and events director. How many weeks that was advertised for? How many weeks Ms Tunningley's position was advertised for? And the advertisement. And I would also be interested in—were there other—did other—so let us take for example the head of catering. Were there—did you have many applicants for that role?

**Mr Stefanic:** It was quite some time ago, Senator. I recall there was a number of applicants. Their current chef was actually not the first appointee. And the—so there was a candidate in that role previously who was there for a period of months. And—but the chef was part of the eligibility list and we were able to draw from that and the position became vacant again.

**Senator KITCHING:** Thank you. I am going to ask you about—thank you. And thank you for taking those things on notice. Could I ask you just about employee debts. So where—I am just trying to find my questions. So where people have—where is a—where an employee has been on long-term sick leave and the employee is sick, the leave balances go into the negative. Is it true the Department is chasing an employee for a debt of—in excess of \$100,000?

**Ms Saunders:** I do not know the exact number. Ms Luchetti has the details of that.

**Senator KITCHING:** Yes, no, that is okay. No, sorry, I think I said Ms Luchetti at Estimates but are you Luchetti?

**Ms Luchetti:** No, that is correct.

**Senator KITCHING:** It is, good. Yes. C-H. Yes.

**Ms Luchetti:** Yes, no, it is a 'K'—that is correct, Senator.

**Senator KITCHING:** I am not sure Hansard's—how Hansard is going to represent the 'K', but—

**Ms Luchetti:** Yes. Okay. But yes, that is correct. It was—

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**Senator KITCHING:** Yes, I was going to ask you about it. So how—do you communicate with the employee—do you say, look, you know, you are taking leave, you are now in a negative balance. Do you do that—I mean, I can imagine that if you are accruing a \$100,000 approximately debt, I mean, that is sort of—do you warn them that there is, I do not know, \$5000, \$10,000—how do you do that?

**Ms Luchetti:** Yes. There had been communication early on with this employee's sick leave with the HR and with payroll and then the communication on both sides, just petered off. There was requests probably in the last seven or eight months where we have been working really closely with this employee and we have reached a resolution that both parties are very happy with.

**Senator KITCHING:** So I do not want to go into the details of the resolution, but how long did it take them to accrue a \$100,000 debt?

**Ms Luchetti:** It was close to about 18 months.

**Senator KITCHING:** So how many times did you communicate with the employee?

**Ms Luchetti:** We have a timeline that I do not have here. But there was—I would say at least half a dozen or so times or more, then that we can get the exact details.

**Senator KITCHING:** And could I get the dates of the communications?

**Ms Luchetti:** Certainly.

**Senator KITCHING:** But I presume—can I just ask is that—I presume—I am going to assume that you have arranged a—or made an agreement around a repayment schedule?

**Ms Luchetti:** Yes, that is right. And the employee has been very happy with them. We have been talking to him on the phone just this week.

**Senator KITCHING:** And it is—it is still a current employee?

**Ms Luchetti:** At the moment, yes.

**Senator KITCHING:** Can I get on notice, a break down of employee debts incurred? The reason for the debt, the communication surrounding the debt, so how many times you communicated with people and the amounts over the past four years, four financial years.

**Ms Luchetti:** Yes.

**Ms Saunders:** Sorry, Senator, can I just clarify. Are you asking for instances where staff members have been overpaid and the Department has been seeking recovery of—

**Senator KITCHING:** Yes.

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**Ms Saunders:**—where we are seeking recovery of overpayment?

**Senator KITCHING:** Yes. How do they get—how do they—how are they overpaid? So, is overpayment a different issue from a leave balance?

**Ms Saunders:** It—well, there is different reasons, Senator. I think it is important to note that it is very rare, so the example that you are talking about is not a normal circumstance at all. It is one that—it is an issue that we have very infrequently and we—we have not had a for a considerable period of time. But it—it happens—it does happen from time to time infrequently, but in every agency I have worked for, this extreme example is one that Ms Luchetti has been working very closely on and ...(indistinct)... [12.01.02] is in detail but there is really not many others. There is certainly none that I am aware of.

**Senator KITCHING:** I certainly hope not and was a communication along the lines of, ‘Hello, you are getting to, you know, whatever you are up to, \$50,000, please, I do not know, come back to work?’

**Ms Saunders:** No. There had been an active program to engage with the employee a return to work but it just had difficulties getting to the point of getting them back to work. There was medical assessments, it was quite a long drawn out process which is why that debt accrued. But it was a one-off and we have worked very closely with the employee to resolve the issue.

**THE CHAIR:** Senator Kitching, I am wary that we only have 10 minutes left and—

**Senator KITCHING:** I will not be that much longer.

**THE CHAIR:** Okay. I do want to share the call around, that is all.

**Senator KITCHING:** Yes. I have—just on this issue, could I get—I just want to ask Ms Saunders—I think if there was a changeover of your HR systems, so the payment systems. I think you had a change and you had two operating at the same time for a while?

**Ms Saunders:** Different systems—

**Senator KITCHING:** Yes.

**Ms Saunders:**—one was a pay system, one was the time recording system.

**Senator KITCHING:** Okay.

**Ms Saunders:** Is that what you are talking about?

**Senator KITCHING:** So—yes. And I think we discussed this in estimates a couple of years ago. Yes. Yes. Could I get a full break down of all unauthorised payroll deductions taken—that have been taken without consultation? So that might be a very small number.

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**Ms Saunders:** Senator, I think that might already be on the—

**Senator KITCHING:** No.

**Ms Saunders:** —public record. So—

**Senator KITCHING:** Can you update it?

**Ms Saunders:** —if it is, I will refer to that.

**Senator KITCHING:** Oh, great.

**Ms Saunders:** But if you would like anything since then—

**Senator KITCHING:** Since—

**Ms Saunders:** — since the—that period—

**Senator KITCHING:** Well, I would like that period because I think the discussion we had was around the systems and I did ask you about unauthorised—so where you have taken money out of an employee's bank account.

**Ms Saunders:** And we talked about the difference between automatic retrospective system—

**Senator KITCHING:** Yes.

**Ms Saunders:** —recovery and overpayment that required a different debt recovery process. Yes.

**Senator KITCHING:** Yes. So can I get, say, the last two financial years of that? Of where there is an unauthorised—

**Ms Saunders:** So it ceased back when I provided evidence last, it was—all of those issues were corrected so I am happy to establish that that is the case.

**Senator KITCHING:** Yes, and could I then get that year because I cannot even remember. It was 18—was it 18 or 19? Or something?

**Ms Saunders:** Yes, it was—I think it occurred in 2017. We were discussing the 2018. Yes.

**Senator KITCHING:** Yes. Thank you. Chair, I did have more questions, but I ... (indistinct)... [12.03.27] if you like?

**THE CHAIR:** Okay. Senator Roberts, do you have some questions?

**Senator ROBERTS:** Thank you, Chair. And thank you all for being here today. Mr Stefanic, you are—you oversee 12 different branches?

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**Mr Stefanic:** Yes.

**Senator ROBERTS:** So—and more stunning than that is the breadth of the services provided from those branches. I mean, really quite unusual. When you recruit people to manage those branches, do you recruit based upon their experience in that particular service or their management experience or what do you favour?

**Mr Stefanic:** I guess, firstly, it depends on the nature of the applicants. And—and the skills and experience they bring to it. Certainly, if some roles require technical expertise, for example in the IT area, you would obviously not recruit someone into that area that did not have an understanding of the industry. There is some that, I guess, more managerial in nature where the skill set in management and leadership is more important, but the range of experiences that they have collected is analogous to the requirements of the role and so they may not be a subject matter expert for that area, but they should seem to have a background that would enable them to quickly learn the nature of the role and be effective.

**Senator ROBERTS:** Thank you. I have had some outstanding people reporting to me at various places I have worked and nonetheless, I still got around the work—workplace because even the best of them have a different set of eyes from mine. How do you stay in touch with the people at all levels throughout your quite large organisation.

**Mr Stefanic:** Yes. Thank you for that question. So for example with my senior—with my senior executive team, we meet weekly. Typically every Monday or Tuesday and talk through what is forthcoming in the week ahead. A—then there is a summary of those talking points produced that are being issued for discussion with—at the director level with their—with their teams, so there is an expectation that key information is passed along the line.

In terms of each of the areas, for example, for myself, I initiated last month a forum process where I will meet with every branch and it is an open question session. We allocate about an hour and staff can ask me about anything. So partly, it is to promote visibility but also to indicate that—I mean, if things that are—have been any issues for them, that they should feel comfortable, safe in raising them. And we have created an email address that people can again either provide ideas that they have about how to make the workplace better or if they have a concern about something they feel they cannot raise with their manager, they are welcome to do that.

**Senator ROBERTS:** So forums can be effective. What about when people are afraid, not necessarily because the environment is intimidating but because they feel intimidated themselves because they are not like—they do not like speaking in a public gathering. Do you get around the workplace, maybe talk to an electrician—talk to one of the tradesmen, that do not—because what I have always found is that in their environment, they will tell you a lot more things and that is the same with everyone. Even Senator Paterson who is ...(indistinct)... [12.07.33].

**Mr Stefanic:** Yes. Senator, I would—I mean, I have to acknowledge I do not get around as much as I should—I feel I should. As you reflected, we have got a very broad remit in terms of service areas. We have 1,000 people scattered throughout Parliament House and some that are nearby in Barton. And if I spent my days walking the halls, I would

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not get one day of a job done. So I try and balance the two. But I am making best endeavours.

**Senator ROBERTS:** The glowing—you know, your surveys produce glowing scores. I just did a quick calculation with—if I attend Departments and nine of them gave me a result of 90 per cent. And one gave me a result of 10 per cent. The average would be 82 which is wonderful. But I would be interested in that 10 per cent.

**Mr Stefanic:** Yes. And absolutely as I reflected in my statement, I acknowledge things are not perfect and the statistics, I rely heavily on data. The statistics are—they tell a lot. And within that, there is definitely percentages that we need to work on and we are actively working, so I do not—I certainly do not sweep issues—

**Senator ROBERTS:** Okay. The—I studied at the University of Chicago, did an MBA there, and one of the most advanced statisticians and the most respected statisticians in the world taught me something. I wish I could remember a tenth of what he told me but he said the most powerful and statistical analysis tools are these things in our face. And these things here. And so how do you assess the competence of middle management?

**Mr Stefanic:** So we have a structured performance management system, so the performance management in terms of a developing program as opposed to a management of poor performance. We have one of those as well. But it is a structure of process where every six months as a minimum, managers are required to meet with their direct reports and provide a—I guess, a rating of—on their performance, so there is a very clear process around that. But we have articulated that should not be the only time that the performance is discussed. That it should be an ongoing conversation throughout the course—course of a year. It—from a process point of view, I do not know if there is anything else you would like to add?

**Ms Saunders:** No, I feel like—I mean, I think you have covered—there is one other point I would like to ...(indistinct)... [12.10.16] which ...(indistinct)... [12.10.20] just goes back to the point that you were making about the 10 per cent versus the 80 per cent. And I think what would be of interest is the security branch survey results for 2020 which show that 80 per cent of people said they were satisfied with the culture in their work group. Seventy-five per cent recommend DPS as a great place to work. Eight-five per cent see themselves working at DPS in two years' time. Eighty-four per cent think that DPS support diversity and inclusiveness. Eighty per cent are inspired to meet organisational goals

So I think that actually demonstrates that the stats that the secretary referred to in his opening statement are consistent with those of security branch.

**Senator PATERSON:** Sorry, Senator, there was just a brief follow-up question. How did the participation from that survey compare to the participation in the CPSU survey? How many participants did you have?

**Ms Saunders:** For the Department it was 79 per cent for the whole department.

**Senator PATERSON:** Seventy-nine. So that is—

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**Senator ROBERTS:** So out of the original staff that was 718?

**Ms Saunders:** Yes, it was nearly 18.

**Senator PATERSON:** 718.

**Ms Saunders:** Yes.

**Senator PATERSON:** But I think the CPSU evidence, was it 50 people completed their survey? All right. Okay. Thank you.

**Senator ROBERTS:** And what measures do you use to validate the survey? Because people can put down anything in a survey. You know, for example, do you walk around and have a look? Because I am told the army where people's lives are at stake, they will actually walk around and a—a senior officer will know more about what is happening in a unit just by looking at the standards of behaviour, the look on people's faces, the feelings they have.

**Mr Stefanic:** We also provide as well as sort of a rating, we invite staff to provide qualitative comments as well. So that also gives them an opportunity if the questions are not really covering what is burning them, then they have an opportunity to mention it in those free form sections.

**Senator ROBERTS:** Okay. Just so that I can have some understanding. You made some comments about the CPSU. What would be the motives for the CPSU doing what it is doing according to you?

**Mr Stefanic:** I—I would not want to impute motive, so I guess they have a remit to represent their members. I am concerned with—which is what I said in my—my statement that they are representing their members. I am not convinced that the people complaining to them either come with clean hands or have the utmost integrity in making their complaint. So I guess, they to an extent have to take at face value what is being told to them and represented. And they are conveying it. So I am not—I am not critical of the CPSU in that regard. Yes, they—they have a—we believe they have a small level of representation and what we are seeing, I guess in terms of the negative commentary are outliers. I do not think they should be seen as representative of the organisation.

**Senator ROBERTS:** And what percentage of your people would be members of the CPSU?

**Mr Stefanic:** It is difficult to tell. We are guessing maybe 10 per cent.

**Senator ROBERTS:** That low? Thank you, Chair.

**THE CHAIR:** Thank you very much, Senator Roberts. Senator Paterson, did you have any questions?

**Senator PATERSON:** Just one matter. The CPSU said you said that there had been some resistance within the security branch to reforms. What can you share us about

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what the points of resistance were in disagreement? They characterise it as only about matters of consultation?

**Ms Saunders:** I can talk to the consultation that we do have with staff if that would help, Senator?

**Senator PATERSON:** Yes, I am more interested in the cultural change and the reforms that have undertaken in the security branch over a number of years and whether there has been any resistance to that and what the resistance was.

**Ms Saunders:** I am not aware of resistance. I know that—I mean, Ms Tunningley will - may be able to add more or Mr McKinnon ...(indistinct)... [12.14.51]. No, I do not know. I am sorry.

**Senator PATERSON:** Okay.

**Ms Saunders:** Not certain. I—we have extensive consultation. There is so many opportunities for consultation to occur. Each branch including security branch has its own work force consolidative committee. The terms of reference that were amended, that the CPSU referred to had an extensive process of consultation in and of itself which I guess culminated in the CPSU and the—so the CPSU official and delegate both saying that they needed no more changes made to that document and that there was adequate—the assessment presentation on that committee. That committee meets regularly but CPSU's invited to each of those meetings, but has certainly not been to all of them.

We have a peak consultative forum and I just wanted to state that the CPSU has not asked for any items to be added to the agenda of that peak consultative forum for the last 12 months other than the most recent meeting that was only a matter of weeks ago where they established that—orally, that they would like some matters to be raised in the next meeting. So we—we are just not getting feedback from—

**Senator PATERSON:** I would be interested in what proportion of those meetings that CPSU are invited to that they choose to attend and—

**Ms Saunders:** All of them.

**Senator PATERSON:** I know they are invited to all of them, but what—how often do they attend?

**Ms Saunders:** Yes, we will provide that.

**Senator PATERSON:** Okay. Thank you. Thanks, Chair.

**THE CHAIR:** Thank you, Senator Paterson. Senator O'Sullivan?

**Senator O'SULLIVAN:** I just wanted to maybe just provide you with the opportunity ...(indistinct)... [12.16.29] lots of staff are following and listening to this, you know, you can have the best possible processes in place and sometimes you know, they do not always work out. It is just the nature of any organisation, any process and any business or any environment. So when—if someone feels that their process is not working for



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them, whether it be a dispute resolution process or resolving some concern that they have, can you just give some confidence to staff, at how important, particularly, is senior management that you would take any issue and what kind of assurances you can give them that they will be heard?

**Mr Stefanic:** Absolutely, Senator. There is—there is many mechanisms that staff can raise concerns, whether they relate to behaviours or issues where their managers are—whether they are—whether their own personal difficulties, you know, and the extreme, I guess would be if they see it as criminal—yeah, conduct, they would see as criminal or potentially unlawful. They absolutely should use whatever mechanisms are available to them, but I do not—I actually do not agree with assertions that there is a culture of covering up or trying to hide things.

I do not—you know, I—you know, the fact that you—yes, the fact that you Senators have an opportunity to question us and do so three times a year on issues, the fact that we have an active press gallery, you know, there is 200 people upstairs always looking closely for a story. You know, if they are not happy with our internal mechanisms there is other ways that we know staff have opportunities to raise things. That is less desirable, because I think it does not allow us to resolve issues in real time. But we only find out, you know, when things are—are published.

But you know, I am confident we manage our process because resort to use of the media and Senators are really minimal. I think if there was a real groundswell, staff would be using those more regularly and certainly, in the previous history of DPS, that was a common feature, that staff felt that Senate estimates was the only way that they could raise their concerns. I think there is little evidence of that now, apart from those are reflected on some staff who have not taken lightly the disciplinary procedures and have used the opportunity to, I guess, settle a score. But absolutely no one has ever been—no one has ever experienced retribution because they have made a complaint about an issue and they should feel comfortable that they can do that if there is an issue.

**Senator O’SULLIVAN:** Thank you.

**Mr Stefanic:** Sorry, that was long-winded.

**Senator O’SULLIVAN:** No, no, no. I wanted to just give that opportunity because I think that people are concerned and ...(indistinct)... [12.19.59]. Thank you.

**THE CHAIR:** Thank you, Senator O’Sullivan. Senator Kitching, another couple of minutes?

**Senator KITCHING:** I know, yes. I might actually ask you just to take this on notice. So when Mr Stinziani was ICT manager, how many submissions for upgrades did he present to you during his term as Chief Information Officer and how many did you approve or seek funding for and, Secretary, have you ever corresponded with your counterparts in other Parliaments to compare the Department’s operations and services to functions in other Parliaments.

**Mr Stefanic:** In relation to your last question, I meet with my colleagues in similar service departments once a year.

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**Senator KITCHING:** Is that within Australia or—

**Mr Stefanic:** Australia/New Zealand.

**Senator KITCHING:** Yes.

**Mr Stefanic:** So that is Victorian, Western Australian, New South Wales Parliaments as well as the New Zealand Parliament, so we meet annually. Last year, virtually. We communicate fairly regularly about issues that come up. We initiated by New South Wales—my counterpart in New South Wales, we have commenced a forum of—sort of like a—I guess a subject matter forum where our staff could get together with like issues to talk about those as well. So they hosted the first one of those last year. And annually, there is an IT forum. These attended more broadly as well, by the Parliamentary—by the House Departments as well. So the—both the Department of the Senate and ...(indistinct)... [12.21.50] to represent people to those each year and I believe we are hosting one of those towards the end of this year.

**Senator KITCHING:** I just want to quick—give you some other questions on notice so if you do not mind, we could finish, but my understanding is there were lots of upgrades put to you. Upgrades to the ICT—to the IT system in Parliament put to you and they were not approved. So I just—they are just—yeah.

**Mr Stefanic:** Yes. There is—look, I will just very quickly—it is a complex question. A complex answer to the question you have asked—because there is a number of different processes involved. So for example, at the moment, there is—there is what is called a product family board which are made up of representatives across the Parliamentary Departments that determine, I guess, priority for projects and raise issues.

And there is a portfolio board that sits over that which is also represented across the Departments. That is more like an oversight of projects. Those boards will make recommendations about what projects should proceed and then the executive committee at DPS makes the actual decisions about the funding allocation because of course those projects cannot proceed without the decision made on funding. So there is various steps in that process, so it is not just me making a decision. Those decisions are also governed by the available funds that there are. So I mean—

**Senator KITCHING:** And you have never asked for an advance or you have never—did you ask for an advance to fix the—you know, to upgrade the system in, I think it was around Easter? With that—was that—anyway, if you could—I will ask you sort of properly so you can take it on notice then. Did you—did the recent upgrades to the system approximately around Easter, I think it was, did that—did that receive an advance, or did you use existing funds just in budgetary funds?

**Mr Stefanic:** No, that was used all within existing funds so the only additional funds we have requested in the—in the previous financial year was for upgrade to our video conferencing system across the Parliament so that we could role them out across all the committee rooms.

**Senator KITCHING:** Just quickly. Last year I asked you a question on notice. It was

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a question on notice 1823, dated 12 August 2020. Which sort of exposed that the Department had not necessarily always appeared to the commonwealth procurement rule. So it was that question on notice. So just on notice, how have procedures been revised to ensure the Department complies with the requirements of CPRs at all times? Is the Department aiming for 100 per cent compliance and could I get an updated figure for the 1920 financial year and an explanation for each contract reported over 42 days. Why they were reported late, especially since the Department on your evidence, Mr Stefanic, has a specialist procurement unit.

**Mr Stefanic:** I can take those on notice.

**Senator KITCHING:** Thank you. Thanks, Chair.

**THE CHAIR:** Thank you very much, Senator Kitching. Thank you to DPS for coming along today and for your testimony. We will send you off now with our thanks and call Dr Heriot. Thank you.

**CURTIS, MR JONATHAON,** Assistant Secretary Research Branch

**HERIOT, DR DIANNE,** Parliamentary Librarian, Parliamentary Library

**THE CHAIR:** I now welcome Dr Diane Heriot, Parliamentary Librarian. For the Hansard record, will you please state your full name and the capacity in which you appear today?

**Ms Heriot:** Diane Heriot, Parliamentary Librarian. I am in that capacity here.

**Mr Curtis:** And Jonathon Curtis, Assistant Secretary Research Branch.

**THE CHAIR:** Thank you very much. Information on Parliamentary privilege and the protection of witnesses and giving evidence to Senate committees has been provided to you. I now invite you to make a short opening statement and at the conclusion of your remarks, I will invite members of the committee to ask questions.

**Dr Heriot:** Thank you, Chair. In my submission to the enquiry, I address the libraries role in governance, including the role of the joint standard committee on the Parliamentary Library. You will no doubt be pleased to hear that I do not intend to repeat these elements, however, I have just come from a meeting of the joint standing committee at which top line results are the current evaluation of a library service as we present it. Since these are of relevance to this inquiry's terms of reference, I will outline the key results.

I am pleased to say that satisfaction among members, senators and their staff remains very high at 94 per cent consistent with previous years. Responsiveness, professionalism and high quality research were all cited as reasons for this satisfaction outcome. The percentage of people who would recommend the library remains very high at 100 per cent for senators, members and their staff. Trust in the library as a source of information was also very high. The library continued to score well against all performance measures for responding to requests. The evaluators found that library services were well used by Parliamentarians and their staff and by committee staff, particularly research services, publications and online resources, youth services and the

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library collection

I am also pleased to say that COVID-19 appears to have had little impact on the perceived quality of our services. The qualitative research indicated that most people continued to use the library via email or phone during the Pandemic period and found it as responsive as always. This is a considerable achievement given the challenges of the past 12 months and is due to the commitment and resilience of staff across the library and the work of our management teams both SES and EL.

I would like now to address a couple of issues raised by the CPSU in their submission to the enquiry. In regard to the library, the CPSU notes that services to Parliamentarians had increased in complexity while resources available have even constrained. These issues are not new. I have been writing about them in my annual reports to Parliament for several years. However, we employ various strategies to minimise the impact to the extent possible. I should note that we are not unique in this either within DPS or within the Commonwealth Public Sector more broadly. DPS works within the budget Parliament appropriates and I am mindful that the library is only one call upon these resources.

To turn to another issue, the CPSU noted the flat structure of the research branch which reflects the specialist nature of its work and also noted its implications for career progression. This has been a characteristic of the branch since its establishment. Where possible, we have addressed lower level or entry level positions to increase opportunities for EL staff, develop skills as supervisors, and to create career pathways.

Where able, we also facilitate internal and external secondments, including to other parliamentary libraries in the states and territories. Sometimes this is not possible due to the impact upon client services, which is always our priority. However, since 2017, we approved 26 such internal and external secondments and said no to four for operational reasons.

In addition to DPS corporate programs, we have also developed a rolling and tailored program of training and professional development for library staff and over the past year have developed and piloted a mentoring program in partnership with the department in the Senate and the House of Representatives.

I would note also that the library management has quite a granular understanding of individual and section workloads. These are the subject of regular and ongoing discussion and analysis to determine how best resources can be deployed and redeployed across and within branches across the library. Though these issues are discussed with section managers, they are not necessarily visible to all staff. Thank you.

**THE CHAIR:** Thank you, Dr Heriot. Senator Kitching?

**Senator KITCHING:** Thank you. Thank you, Dr Heriot, and thank you for your submission. Can I ask you just—and could we get your opening statement tabled?

**Dr Heriot:** It is not quite as delivered, I am afraid.

**Senator KITCHING:** Because I just—

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**Dr Heriot:** Sorry. Just check that is the one.

**Senator KITCHING:** Thank you. In your opening statement, you mentioned the arrangements for working from home during the last year, let us just say.

**Dr Heriot:** I do not think I did specifically, but yes, they were implied.

**Senator KITCHING:** Yes, but you asked—yes, yes. Are you able to provide a copy of all library staff emails from year between January 2020 and today on notice? Just in relation—

**Dr Heriot:** I beg your pardon?

**Senator KITCHING:** Sorry, only the ones—all of the library. So from you, the library staff emails between January 2020—let us say all of 2020 from you to staff in relation to working from home arrangements during the pandemic.

**Dr Heriot:** I can. I would note that the majority of communications around working from home would have been centralised from DPS because library staff are DPS staff—

**Senator KITCHING:** Yes, I understand.

**Dr Heriot:** —and they follow the central thing. I would also—

**Senator KITCHING:** Did you communicate with library staff, then, at all last year?

**Dr Heriot:** I communicated with library staff last year. I cannot remember, I am sorry, if I communicated on this issue. And I cannot remember if I did communicate on that issue, whether it might have been intrinsic to a person's personal situation.

**Senator KITCHING:** Yes.

**Dr Heriot:** So I will have to take it on notice.

**Senator KITCHING:** Yes. Yes, no, no. I am not asking you to provide it now. But yes. So any emails from you or any communication from you—let us not narrow it—from you to all library staff in relation to working from home arrangements during 2020. Thank you. So can I ask you pre-COVID, what were your views about staff working from home? Did it occur regularly? Did—

**Dr Heriot:** I do not have views about working from home. We followed the relevant DPS policy. And there have been occasions on which, for a range of reasons, staff have had arrangements for working from home that fell within the policy.

**Senator KITCHING:** Do you work from home?

**Dr Heriot:** I worked from home when I was on graduated return to work after an accident.

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**Senator KITCHING:** Okay. But not otherwise? Or last year, you must have?

**Dr Heriot:** For most of last year, I worked in Parliament House because we had a cohort of staff who needed to work in Parliament House and I wanted to make sure I was there.

**Senator KITCHING:** And why did they have to—the cohort of staff who worked in Parliament House. Why were they working there?

**Dr Heriot:** Because they had a range of duties that required them to be there.

**Senator KITCHING:** And it was not anything like the connectivity or lack of laptops?

**Dr Heriot:** No. For example, the staff that worked there included people who manage our collection. We continued to have requests from library clients for physical collection items and we needed to provide those. We needed—we had a range of other work that needed to be done there. And I should, in fact, to this end commend the former director of client relations and the former director of the CEP, who worked hard to make sure that the communication with clients did not falter.

**Senator KITCHING:** And CEP is—

**Dr Heriot:** Sorry, the Central Enquiry Point. I apologise for the acronym.

**Senator KITCHING:** No, no, that is okay. And the flexible working arrangements that staff can enter into—I presume that is under the DPS policy?

**Dr Heriot:** Yes.

**Senator KITCHING:** And you have always supported that?

**Dr Heriot:** Yes.

**Senator KITCHING:** Yes.

**Dr Heriot:** We do not have—on matters relating to those sorts of things, there is a DPS policy.

**Senator KITCHING:** Okay. And how often do you have all staff meetings?

**Dr Heriot:** I am sorry, senator?

**Senator KITCHING:** How often do you have all staff meetings?

**Dr Heriot:** We have not had an all staff meeting since the pandemic. We had previously had them, I think, quarterly and they were tied to meetings of the Joint Standing Committee on the Parliamentary Library because that was a convenient juncture and then we could report on any feedback from the Library Committee.

Since the pandemic, we have not had a space big enough to fit 150 staff, although that has changed quite recently with the changed ACT restrictions. And so I anticipate that

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having just had a Joint Standing Committee meeting, we will now proceed to schedule it. I should note, there have been branch meetings happening in the interim and I meet with my direct reports.

**Senator KITCHING:** Okay.

**Mr Curtis:** Yes, we can fit the branch into the Parliamentary Theatre.

**Senator KITCHING:** Yes. Yes. So in terms of the—you did not—were there any online meetings last year? All staff meetings online?

**Dr Heriot:** No, there were not all staff meetings online.

**Senator KITCHING:** So then 2019 was the last one? So the last quarter of 2019? Was it in October, November, or December?

**Dr Heriot:** I would have to take that on notice.

**Senator KITCHING:** Yes, no, that is fine. Take it—

**Dr Heriot:** I am sorry.

**Senator KITCHING:** No, no.

**Dr Heriot:** We did have one scheduled for March, but that was not able to happen.

**Senator KITCHING:** This current March?

**Dr Heriot:** No, no. March last year.

**Senator KITCHING:** Last—okay.

**Dr Heriot:** Yes.

**Senator KITCHING:** So how did you communicate with staff?

**Dr Heriot:** I communicated via email.

**Senator KITCHING:** But just separately? Because you are still—you have taken on notice whether you sent any all staff emails out.

**Dr Heriot:** Well, I took on notice whether I sent any all staff emails out on the issue—

**Senator KITCHING:** Working from home.

**Dr Heriot:** —of working from home.

**Senator KITCHING:** And so did you send any out more generally?

**Dr Heriot:** Yes.

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**Senator KITCHING:** And how often were they?

**Dr Heriot:** Around fortnightly, I think.

**Senator KITCHING:** Could you just take on notice—just let me know if it was every fortnight? And you have not had an all staff meeting this year, is that correct?

**Dr Heriot:** Not as yet. We have not been able to.

**Senator KITCHING:** Not as yet. But you are going to in July or August or—

**Dr Heriot:** Well, we will schedule one shortly and that will work into the booking systems.

**Senator KITCHING:** Okay. But you have been sending out emails fortnightly this year as well?

**Dr Heriot:** No. Probably—I will have to take on notice.

**Senator KITCHING:** Okay.

**Dr Heriot:** I—yes. I apologise.

**Senator KITCHING:** And you kept meeting during last year with direct reports?

**Dr Heriot:** Yes.

**Senator KITCHING:** Yes. There was submissions to this inquiry which discussed former employees' experience in the library and they alleged workplace bullying. Also deliberate isolation, favouritism. How many matters of these type has been raised with you in the past?

**Dr Heriot:** None.

**Senator KITCHING:** How many—

**Dr Heriot:** I said none.

**Senator KITCHING:** None, okay. Sorry, former staff felt motivated enough to write a submission to this inquiry, but you do not know anything about—there were no sort of complaints to you. Do you think they are just odd incidents and people left before they spoke to you?

**Dr Heriot:** Well given I have not seen the submissions, I cannot speculate. But there are a whole range of corporate avenues if people feel that they are being unfairly treated. There are harassment contact officers, there is a formal reports to HR, there are—I am not aware of any reports to HR—have not been drawn to my attention. So—and I cannot obviously—



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**Senator KITCHING:** Yes.

**Dr Heriot:** —comment on things in submissions I have not seen.

**Senator KITCHING:** In terms of personnel resourcing, at what frequency is resourcing and expertise reviewed to ensure a balanced and wide-ranging expertise?

**Dr Heriot:** So—I am sorry—sorry, I am going to—resourcing is discussed with my direct reports when we meet, which is generally weekly, unless intervenes, like illness. At directors' meetings there is discussion of staffing issues and work pressure issues. A fairly sort of—I am not sure I can have a fairly sort of—I do apologise.

Take close regard to where resources are allocated, where peaks are arising in other areas, what we can deploy at short notice to meet those areas, whereby whether it is bringing on short term staff, the formal—and we manage the budget quite closely too, to look to where we can—where we can move underspends.

**Senator KITCHING:** And I am going to put some question—look, I will just ask you one—do you, on notice just tell me, who are the direct reports? And are there—so Mr Curtis, you are a direct report? Okay. So could you just name those people?

**Dr Heriot:** I certainly—

**Senator KITCHING:** Yes.

**Dr Heriot:** I—perhaps, some of them are not SES, so I prefer to name their positions—

**Senator KITCHING:** Okay, if they are—

**Dr Heriot:** —if that is all right?

**Senator KITCHING:** Yes. If they are APS? Yes, thank you.

**Dr Heriot:** Absolutely. I am happy to do that.

**Senator KITCHING:** In the 2019-2020 DPS Annual Report, you indicated that 11,472 individual client requests were completed. Does that mean that 11,472 individual email requests were received by the library? So what I am saying is that sometimes people might change or amend their original request. Is that being counted as a new request—

**Dr Heriot:** No.

**Senator KITCHING:** No, okay.

**Dr Heriot:** No. So a job is a job—

**Senator KITCHING:** Yes.

**Dr Heriot:** And I should note they are not necessarily, just for completeness, all emailed, we do take phone inquiries—

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**Senator KITCHING:** Yes, yes. How are client requests allocated? So when it comes in, how does it—is it decided that it is going to a particular person?

What is the prescribed timeframe from when a client request arrives to when it is allocated to a researcher? So is it immediately or is it a week?

If clarification is required, or a client calls to extend a revisory request, that forms part of the original request, as you said, yes. Thank you.

How is RefTracker utilised? How are client requests and research jobs recorded into RefTracker? Can you assure me this happens 100 per cent of the time?

If, for example, two clients make exactly the same request on a topic three months apart, how is already researched information shared to ensure efficiency between researches?

In the 19-20 DPS Annual Report, you reported that 302 research publications were released. How many research publications were drafted and not released? I would like the same figures for 18-19 and 17-18.

Dr Heriot—

**Dr Heriot:** I am sorry, can I just—

**Senator KITCHING:** Yes.

**Dr Heriot:** —clarify that, Senator? When you say they were drafted and not released do you mean working progress drafted or complete and not released—

**Senator KITCHING:** Complete—I would like both.

**Dr Heriot:** The former might be quite challenging—

**Senator KITCHING:** But the—yes. But the latter certainly—

**Dr Heriot:** The latter is not a problem. The former—

**Senator KITCHING:** Yes.

**Dr Heriot:** —might be challenging.

**Senator KITCHING:** Okay. And, Dr Heriot, have you ever corresponded with your counterparts in other parliaments to compare the library's operations and services to library functions in other parliaments?

**Dr Heriot:** We discuss such things—quite formally. There is a—there is an association of Parliamentary Librarians of Australasia, which is effectively Australia and New Zealand. Pre-COVID they would have—we would have annual meetings. We have not had one of those since COVID, but we have informal communication.

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We are also part of a less active network of parliamentary libraries of Asia and Pacific. And also the international federation, which is also a source of communication and information.

**Senator KITCHING:** Thank you.

Thank you, Chair.

**THE CHAIR:** Thank you, Senator Kitching.

Any other questions from committee members?

**Senator ROBERTS:** Just one.

**THE CHAIR:** Yes, Senator Roberts.

**Senator ROBERTS:** Thank you, Chair.

Thank you both for being here.

We have a—some very good researchers in our team. And one of them particularly uses the library a lot. She values the service. And she would—she says that her view, the economics and science areas are under-resourced, and particularly in regard to the social sciences, and I use the word loosely, sciences there. But social sciences.

Is that under-resourced in your opinion? Or what are you doing about it?

**Dr Heriot:** We have to balance our budget across the entire spectrum of policy areas. And from time to time we find people who focus on a particular area may think that that is under-resourced. But we have other pools.

For example, we have had in the past criticism that we have not had enough resources directed to defence. But we then have to make sure that we can answer members and senators' inquiries on subjects like the NDIS or COVID related inquiries or a whole range of public administration and policy areas. So it is very much a balancing.

And we—that is part of the work that Mr Curtis and I direct ourselves to quite strongly, and Mr Curtis, with the directors, to actually work out where the pinch points are? Are we having an issue where we need to try and palm more resources into a team to pick particular—a particular pressure point?

But at the end of the day we have a pot of resources that we distribute as best we can.

**Senator ROBERTS:** She said that she responded to your survey saying that science and economics is under-resourced, and she has had a call back from someone in the library. And she sought a meeting with you, but you have been unable to do so.

**Dr Heriot:** I am sorry, I was not aware of that.

**Senator ROBERTS:** And I will give you her name, if you like? I have got a lot of

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respect for her.

But the other thing is, that parliament generally, in my view, makes a lot of decisions without adequate data. It seems to make decisions based upon flavours of the month and what newspaper headlines are saying. That is costing our country a lot of money, so.

**Senator KITCHING:** Can I ask one clarifying question? In terms of—could you give me the dates for—and the numbers of general expertise versus specialist expertise? And whether that is—the specialist expertise has decreased more in the last few years?

**Dr Heriot:** I am not sure that I can. Because it is a slight—it is a complex question.

For example, we will employ—for example, an expert in education. But because we cannot have an expert in every area that we get questions on from the parliament, because they have asked, everyone who is an expert in one area develops expertise in other areas so they can answer the whole raft of questions that we get.

So this has always sort of been a feature that we have sort of particular deep expertise and more generalist to manage that.

The other factor that goes—and I am sorry, I do not want to sound unwilling to answer your question. I am just giving you some context—

**Senator KITCHING:** And I am aware, I myself put in quite esoteric research tasks. So, thank you, I appreciate it—

**Dr Heriot:** I was not drawing any—but we do get—there is such a wide range of questions, I think is the issue, across—given the wide-ranging nature of senators and members responsibilities.

There is also the issue that we have had a cohort—we have had a very stable staffing cohort in the library which means that we have had, for example, someone who has worked there for 28 years. And so has 28 years of subject matter expertise. There comes a time in the life of all our staff when they decide to retire. We can recruit someone who has great expertise and academic qualifications in a particular area, but they do not have 28 years of lived experience.

And a client may say to me, “your new staffer x does not know as much as their predecessor”. And I will say to them, “but their predecessor did not know as much on their first day of work, as they did on the last”. And so that sort of continuing growth in knowledge, and simply the sheer corporate knowledge, is invaluable.

And that has a factor too.

**Senator KITCHING:** Thank you.

**THE CHAIR:** Thank you, Senator Kitching.

No other questions from the committee?

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Thank you very much, Dr Heriot—

**Dr Heriot:** Thank you.

**THE CHAIR:** —and Mr Curtis, for coming along today.

**Mr Curtis:** Thank you.

**THE CHAIR:** That concludes today's hearing.

I would like to thank witnesses who have given evidence to the committee today. I would also like to thank the staff of the ACT Legislative Assembly for accommodating the committee and sharing their facilities with us. And we thank the Assembly's Hansard and broadcasting teams.

I now declare this meeting of the committee adjourned—noting that we will be back in 40 minutes.

**The committee adjourned at 12.51 pm.**