

JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT

Public Governance, Performance and Accountability Bill 2013

AUSTRALIAN PUBLIC SERVICE COMMISSION

ANSWERS TO QUESTIONS ON TAKEN ON NOTICE AT THE PUBLIC HEARING ON 24 MAY 2013

- 1. Please review the evidence of the Auditor-General and respond to the concerns he raised in relation to this Bill.**

The Public Service Commissioner (the Commissioner) is sympathetic to the Auditor-General's view that it would have been preferable if the bill had been subject to a longer exposure process, given the number of entities and officials affected by it and because of the fundamental importance of the legislation. It is to be hoped that the associated draft rules will be made available for scrutiny at the earliest possible date.

- 2. Will this legislation require cultural change in the public service, and if so what?**

The Bill is an example of a number of measures that the Government has implemented, or is implementing, to ensure that the public service is efficient and effective, accountable for results and more forward looking.

The Advisory Group on Reform of Australian Government Administration delivered its report *Ahead of the Game: Blueprint for the Reform of Australian Government Administration* in March 2010. That report recommended a reform agenda that, among other things, sought to embed new practices and behaviour into the APS culture. Almost all of the deliverables identified in the Blueprint are complete and provide a platform for continuing change. These changes are underpinned by legislative amendment. For example, the *Public Service Amendment Act 2013* amends the roles of Secretaries from 1 July 2013 to include at subsection 57(1) the following roles:

(b) manager, ensuring delivery of government programs and collaboration to achieve outcomes within the Agency Minister's portfolio and, with other Secretaries, across the whole of Government;

(c) leader, providing stewardship within the Department and, in partnership with the Secretaries Board, across the APS.

The amendments in this bill are fully consistent with the Australian Public Service (APS) reform agenda and will support cultural change. However, both these amendments and those made previously to the *Public Service Act 1999* are essentially permissive. The full realisation of the reform agenda will depend on APS leaders and their commitment to strengthening the APS culture so that it is agile, creative, responsive, outward and forward looking, and results-orientated. Because the external environment is never static this is always a work in progress.

3. Will the legislation cause any confusion among public servants about the roles and responsibilities and if so what will be done to address this?

As discussed at the hearing it would be simpler (and, therefore, potentially less confusing) to allow the Code of Conduct in the Public Service Act to provide the principal articulation of the general behavioural standards expected of APS employees and Agency Heads. This would be consistent with the treatment of another class of entities as the bill provides that the Corporations Act should serve this purpose in respect of Commonwealth-owned corporations.