



Australian Government
Australian Public Service Commission

INCOMING COMMISSIONER BRIEF



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1 ABOUT THE APSC

FUNCTIONS

The Commission's purpose is to position the APS workforce for the future to ensure it meets the demands and expectations of the Australian Government and people. We work collaboratively as a valued and trusted partner to the APS; one that provides sound stewardship and advice, and is regarded as an exemplar of reform.

The APS Academy bring together the total picture of learning and development and capability building functions led by the APSC, on behalf of the whole of the APS. It is supported by several groups across the APSC.

The APSC supports three statutory officers: the Australian Public Service Commissioner – who is the agency head and also holds the office of the Parliamentary Service Commissioner – and the Merit Protection Commissioner.

The [APSC Corporate Plan 2022-26](#) outlines four strategic priorities:

- Support quality public service workforce management
- Lift public service capability
- Build leadership for the future
- Foster trust in public service integrity

EMPLOYEE NETWORKS

- Reconciliation Action Plan Working Group (Indigenous Champion: Subho Banerjee)
- Walanmarra Olgeta Network
- Disability and Carers Network (Disability Champion: Kate Boxsell)
- Gender Equality Network (Champion: Ashley Sedgwick)
- LGBTIQ+ Network (Champion: Nicole Steele)
- Social Club (SES Sponsor: Sita Jackson)

WORKPLACE RELATIONS

Assistant Commissioner James O'Reilly

s47F

Overview of responsibilities

Purpose: The Workplace Relations Group advises the Minister and Commission Executive on workplace relations in Commonwealth employment. It also provides advice and support to Commonwealth agencies on their workplace relations arrangements as model employers.

The Group's objectives are to ensure that Commonwealth employers implement workplace arrangements consistent with Australian Government policy and their legal obligations.

The Group works closely with the Workplace Relations Bargaining Taskforce on shared responsibilities implementing the Government's *Public Sector Workplace Relations Policy 2023*.

Internal Teams Overviews:

Workplace Relations Policy

The Workplace Relations Policy Team is responsible for providing advice to APS agencies and other Commonwealth companies and entities on the enterprise bargaining framework and related *Fair Work Act 2009* matters, such as industrial disputes and industrial action. The team also provides policy advice on employee industrial instruments to facilitate Machinery of Government changes.

Remuneration Policy

The Remuneration Policy Team works with agencies to implement the Government's wages policies. It also represents the Government before the Defence Force Remuneration Tribunal, prepares an annual APS Remuneration Report for release at the August Secretaries Board meeting, and delivers a subscription service to agencies to update relevant expense related allowances.

Conditions Policy

The Conditions Policy Team is responsible for the provision of advice about conditions of employment in Commonwealth agencies and delivering the review of the *Maternity Leave (Commonwealth Employees) Act 1973*.

Priorities:

Review of the *Maternity Leave (Commonwealth Employees) Act 1973*

On 10 December 2021, a review of the *Maternity Leave (Commonwealth Employees) Act 1973* was announced by the former APS Commissioner. It is the first significant review of the legislation in more than 40 years, is a deliverable under the APS Reform Model Employer pillar and an action item under the *Realising Benefits for all: APS Gender Equity and Strategy 2021-26*.

The Review includes recommendations to provide a framework that supports greater equality of opportunity for women in Commonwealth employment. The recommendations aim to better support partners to perform a more equal role in the caring of children, improve parents' economic security and achieve more consistent parental leave conditions.

ss 47C, 47E(d)



Implementation of the Public Sector Workplace Relations Policy for non-APS agencies

On 28 March 2023, the *Public Sector Workplace Relations Policy 2023* was released. The Policy contains two parts, covering APS (approximately 103 APS Agencies) and non-APS (approximately 80 non-APS agencies) workplace arrangements. The Workplace Relations Bargaining Taskforce is responsible for the implementation of the Policy for APS agencies, which includes service-wide bargaining.

The Workplace Relations Group is responsible for the implementation of the Policy for agencies that do not employ their staff under the PS Act. Under the Policy, you have responsibility for the approval of non-APS agency remuneration proposals and draft enterprise agreements.

The Policy is different to the workplace relations policies that have been in place over the past decade. Agencies will have increased flexibility, to make changes to their enterprise agreements to ensure they are fit for purpose, within defined parameters yet to be finalised. Aspects of the non-APS bargaining parameters will be informed by the outcomes of APS service-wide bargaining.

The Workplace Relations Group are developing artefacts and processes to support the implementation of the Policy in non-APS agencies. The Group are prioritising providing advice to 17 non-APS agencies that are expected to attempt to conclude bargaining for new enterprise agreements by the end of the year. We will support you in your role under the Policy approving draft enterprise agreements.

WORKPLACE RELATIONS TASKFORCE

Assistant Commissioner Damien Booth (a/g)

s47F

Overview of responsibilities

Purpose: The Australian Government has committed to ensuring the APS continues to be a model employer by providing working conditions that keep pace with the broader economy, are fair and equitable and provide job security.

The Government also stated in its *Plan for Secure Australian Jobs* that a key objective in considering its approach to workplace relations, was to restore the ability of workers to genuinely bargain for better pay and conditions.

In October 2022 the Commission established the Workplace Relations Bargaining Taskforce to design an approach to undertaking genuine service-wide negotiations for a set of common conditions for inclusion in all APS enterprise agreements.

Mr Peter Riordan PSM CF was appointed as Deputy Commissioner of the WR Taskforce on its establishment, and has been appointed as Chief Negotiator acting on behalf of all 103 APS agencies for the duration of service-wide negotiations. There are 8 public sector unions and around 250 selfappointed Employee Bargaining Representatives (EBRs) participating in the process. Collectively bargaining representatives have tabled more than 1300 claims for consideration in negotiations.

On 28 March 2023, the Government released the *Public Sector Workplace Relations Policy 2023* and commenced service-wide bargaining on 30 March 2023. As at 2 May 2023, there has been 8 meetings with unions and EBRs covering topics including various leave types, and employee support. Preliminary discussions about flexible working arrangements took place on 27 April 2023.

The Government has set an ambitious timeline including that in-principle agreement on a set of common conditions through service-wide bargaining should be finalised by 31 July 2023. Agencies will separately negotiate any agency-specific requirements and are expected to finalise their agreements by early 2024, with some concluded by the end of 2023.

Internal Team Overviews:

The WR Taskforce operates alongside the Commission's related Workplace Relations Group and consists of 13 team members (12.5 ASL), including Deputy Commissioner Riordan:

As at 1 May 2023, the WR Taskforce's staffing profile (ASL) is as follows:

SESB3	1
SESB1	1
EL2	2
EL1	5
APS 6	1
APS 5	2
APS 4	0.5 (EA)

The WR Taskforce is funded to 31 March 2024 and includes on-going and non-ongoing APS staff and secondment arrangements. The WR Taskforce operates in a multi-disciplinary environment, consisting of experts in workplace relations, legal, data analysis, finance, governance, strategy and communications.

Priorities: The WR Taskforce will continue to hold service-wide bargaining meetings with union and EBRs each week through to end of July 2023 on Tuesdays and Thursdays. The current meeting schedule is available on the APSC's website at: [Revised Meeting Schedule - as at 5 April 2023.pdf \(apsc.gov.au\)](#)

Significant next steps in the service-wide bargaining process include discussions around a headline pay increase offer for APS employees, which will be tabled on 16 May 2023 (i.e. post federal budget).

The WR Taskforce will also present a model to address pay fragmentation on 25 May 2023. This is consistent with the Minister's expectations that the APS bargaining process take initial steps to reduce pay fragmentation over time. s47E(d)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ENABLING SERVICES

Assistant Commissioner Vidya Vasudevan

s47F

Overview of responsibilities

Enabling Services Group is the corporate support function of the Commission. ESG provides strategic services and frameworks to ensure efficiency in operations of the Commission. Teams include; Governance and Parliamentary, HR and APS Surge, Finance, Technology & procurement, and Property teams (including establishment of Academy Campuses).

Priorities

Governance:

- Senate Estimates - APSC-related Budget Estimates briefs finalised and distributed by Monday, 15 May.
- Annual Report and Corporate Plan (next page) - commence liaison with groups

HR and Surge:

- APSC Capability Review - All consultation and self-assessment is complete. The Final Report and findings has been delivered by PM&C. Our Capability Review will be published in June. Following discussion with you, work will commence on developing the action plan to respond to the findings..
- Enterprise Bargaining - the Commission's current S24(1) determination expires in November 2023. APS-wide bargaining has commenced and work is underway to progress agency-level bargaining once this has been completed. The Agency Lead Negotiator for the Commission is Deputy Commissioner, Dr Subho Banjeree.

Finance:

- Internal budget (refer Section 3 APSC Budget Summary) - Finalise the Commission's 2023-24 internal budget for Executive Board consideration mid-June.
- Financial Statements - Preparation of annual financial statements.

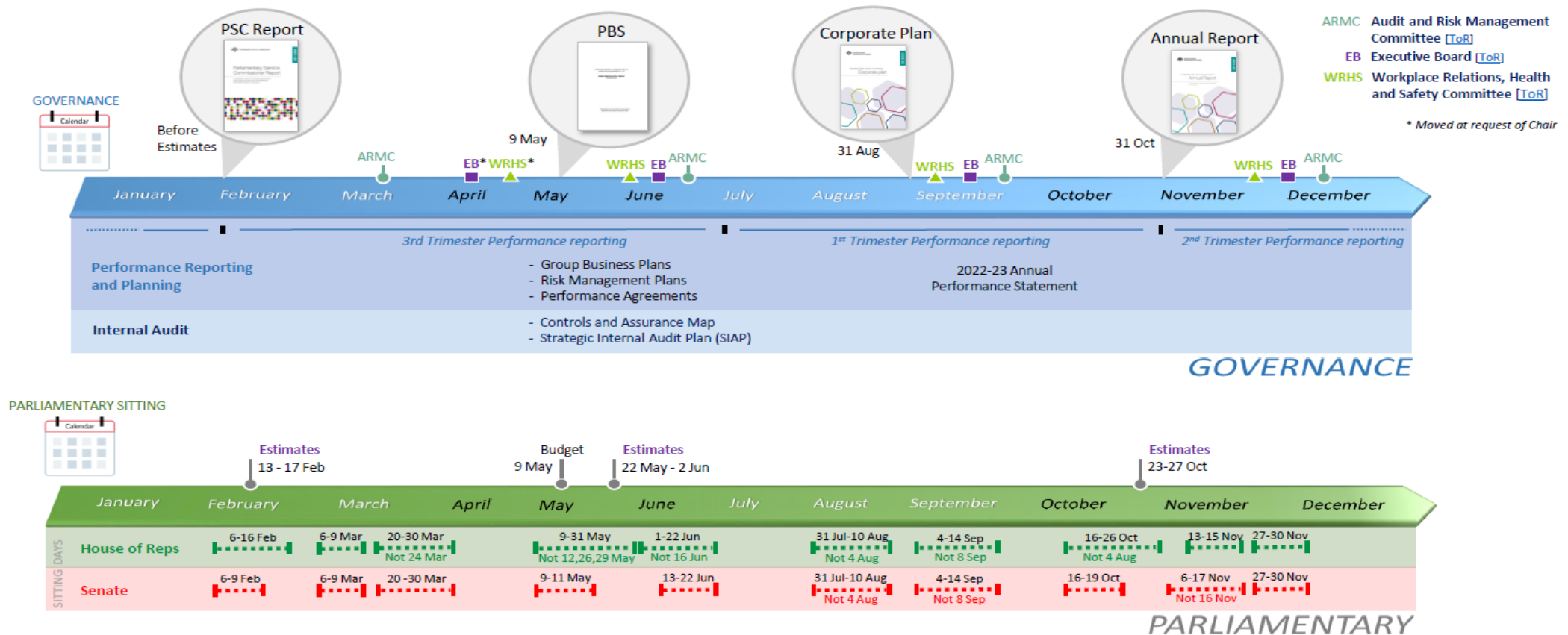
Technology and Procurement:

- APS Employment Database - Assisting Workforce Insights Group with project governance for APSED Redevelopment, as this is currently the largest IT project for the Commission.
- Cyber Security Strategy - Developing a strategy in consultation with PM&C.

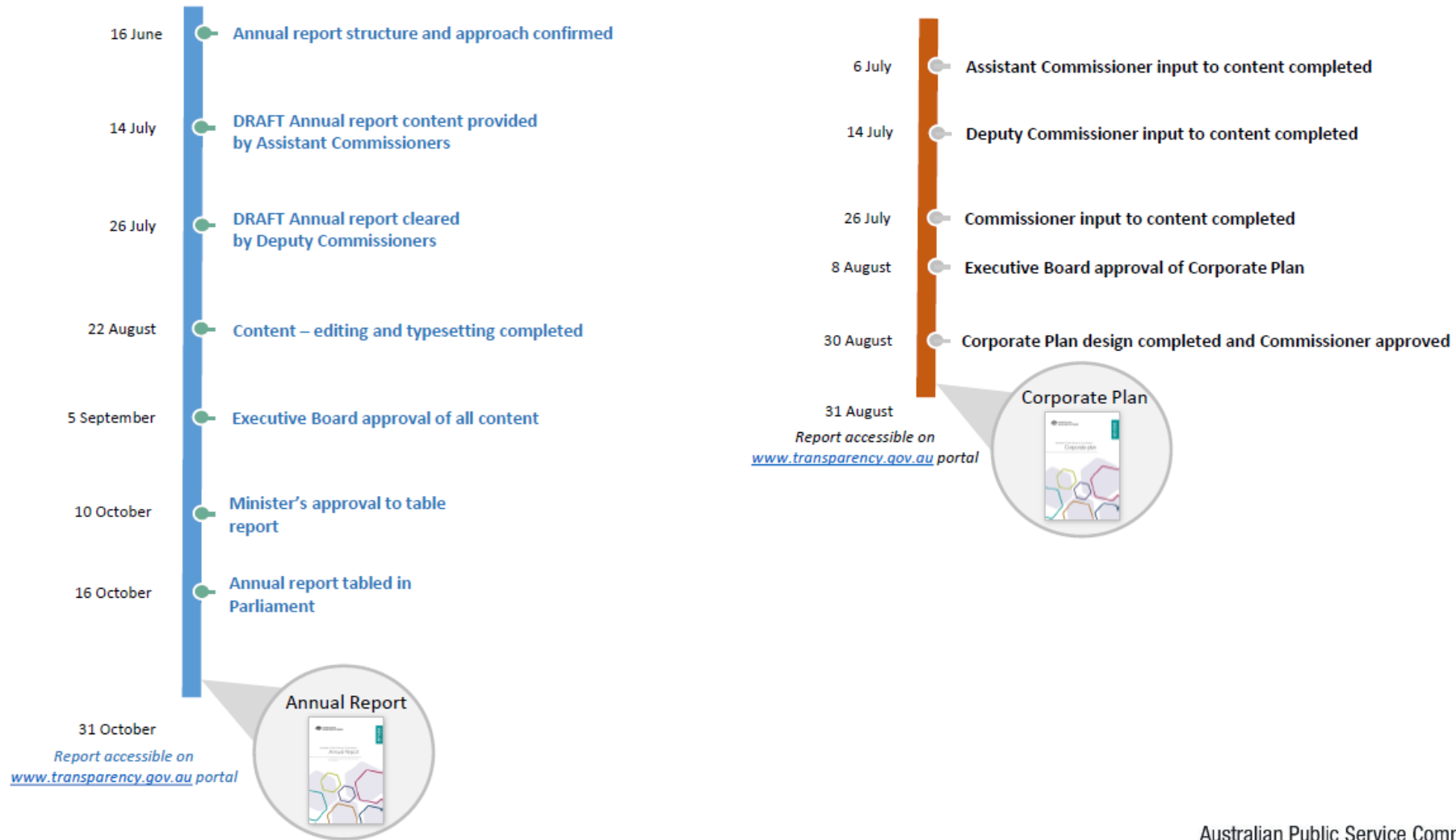
Property:

- Academy Campuses - Arrangement and fit out of office space.
- Property Management Strategy - Developing a strategy in consultation with Future of Work taskforce.

Core G&P Business activities – operating rhythm



2023-24 Annual report and Corporate Plan timeline



EXECUTIVE REMUNERATION AND STATUTORY OFFICES

Assistant Commissioner Martyn Hagan

s47F

Overview of responsibilities

Purpose: To provide secretariat support to the Remuneration Tribunal and Defence Force Remuneration Tribunal, and policy support to the Australian Public Service Commissioner on the Government's Executive Remuneration Management Policy and the Merit Selection and Transparency Policy.

Internal Teams Overviews

Remuneration Tribunal

The Remuneration Tribunal (remtribunal.gov.au) is an independent statutory authority established under the *Remuneration Tribunal Act 1973* (legislation.gov.au), and consists of three members appointed by the Governor General. It is administered by, but independent of, the APSC.

The Tribunal's primary role is to determine, report on or provide advice about remuneration, including allowances and entitlements that are within its jurisdiction for the following offices:

- Full and part-time public offices
- Departmental secretaries
- Judicial and non-judicial offices of federal courts and tribunals
- Principal executive offices
- Federal parliamentarians
- Specified statutory offices

The Tribunal also provides remuneration advice to a number of statutory bodies as well as the Speaker of the House of Representatives and the President of the Senate about the offices of the Parliamentary Secretary, the Parliamentary Service Commissioner and the Parliamentary Services Merit Protection Commissioner.

The Tribunal assists the APS Commissioner in their responsibilities under the Government's Merit and Transparency Policy, and the Executive Remuneration Management Policy.

Defence Force Remuneration Tribunal

The Defence Force Remuneration Tribunal (dfrt.gov.au) is an independent statutory tribunal established under s58G of the *Defence Act 1903* (legislation.gov.au) and determines salary and allowances for members of the ADF with the exception of the Chief of the Defence Force, the Vice CDF, and the Service Chiefs who are within the Remuneration Tribunal's jurisdiction. The DFRT consists of three members appointed by the Governor General. It is administered by, but independent of, the APSC.

Priorities

- Appointment of a new President of the Defence Force Remuneration Tribunal by 12 July 2023 when the appointment of the acting President, Ms Ingrid Asbury ceases.
- Appointment of the Defence Force Advocate who represents the Australian Defence Force in DFRT hearings.
- Completing a review of remuneration of agency heads of national cultural institutions
- Undertaking annual review of all remuneration within the Tribunals' jurisdictions
- Reviewing entitlements for Members of Parliament with 'exceptional physical, family or other requirements'

INTEGRITY PERFORMANCE AND EMPLOYMENT POLICY

Assistant Commissioner Kylie Barber

s47F

Overview of responsibilities

Purpose: The Integrity, Performance and Employment Policy group provides policy and implementation advice on legal, employment and integrity matters, as well as advice on embedding diversity and inclusion into APS employment practice.

The Group supports the APS Commissioner in the exercise of their statutory functions under the PS Act and subordinate legislation, including in relation to the APS Values and Code of Conduct, the integrity of agency heads, the application of merit, SES employment matters and the compulsory transfer of staff in Machinery of Government changes. They also provide all legal services and support across the agency, Remuneration Tribunal, Defence Force Remuneration Tribunal and Merit Protection Commission.

Internal Teams Overviews

Integrity and Ethics – s47F

The Integrity and Ethics team manages the Ethics Advisory Service, supports the APS Ethics Contact Officer Network (ECONet) and is responsible for APS integrity policy – specifically in relation to the APS Values and Code of Conduct - and relevant public guidance material. The team partners with the APS Reform Office in the implementation of the Government's APS integrity reform priorities, driving pro-integrity culture and reinforcing APS institutional integrity to sustain the highest standards of ethics. The team also supports the Commissioner in performance of their statutory functions under the PS Act in regard to agency head Code of Conduct inquiries, and secretariat support to their role as Chair of the Integrity Agencies Group.

Ethics Advisory Service: 02 6202 3737 | ethics@apsc.gov.au

Legal – *Please note General Counsel Services are currently being provided by AGS, pending appointment of permanent General Counsel*

The Legal Team provides all legal services to the Australian Public Service Commission, the Merit Protection Commission, Remuneration Tribunal, and Defence Force Remuneration Tribunal (and second counselling services to the Parliamentary Workplace Support Service [refer separate brief] on an ad-hoc basis). The team manage the Freedom of Information and Privacy functions for the Commission, as well as assists to instruct external lawyers.

legal@apsc.gov.au | privacy@apsc.gov.au | foi@apsc.gov.au | pid@apsc.gov.au | legislation@apsc.gov.au

Employment Policy – s47F

The Employment Policy team assists the Australian Public Service Commissioner to fulfil their statutory functions under the PS Act and subordinate legislation. This includes providing advice and facilitating Commissioners Representative approvals for SES recruitment processes, written determinations to move employees under section 72, and other requests under the PS Act related to

the employment framework. The team also provides advice to APS Human Resource practitioners, the Senior Executive Service (SES) and SES Units, on the APS Employment Framework.

Enquiries: 02 6202 3857 | employmentpolicy@apsc.gov.au

Inclusion Policy – s47F

The Inclusion Policy team provides policy and implementation advice to the Commission and APS on embedding diversity and inclusion matters in public service employment; in particular, the implementation of the Commonwealth Aboriginal and Torres Strait Islander Workforce Strategy, the APS Disability Strategy and the Gender Equality Strategy.

The team provides secretariat support for the Disability Champions Network, the Disability SES Network and the Indigenous SES Network, and undertakes significant stakeholder engagement for the Commission in a range of other D&I forums within and external to the APS.

Enquiries: diversity@apsc.gov.au

Priorities:

Integrity & Ethics

- s47E(d)
- High-level policy development support to the APS Reform Office in relation to legislative amendments to the PS Act Framework to give effect to the Government's APS Reform Agenda
- Joint development, with the National Archives of Australia, on new recordkeeping guidance to APS employees with specific reference to their integrity obligations under the APS Values and Code of Conduct
- Ongoing consultation and policy advice on APS integrity issues to: the Integrity Taskforce in PM&C; the Public Interest Disclosure Act reform process at the Attorney-General's Department; and the establishment of the National Anti-Corruption Commission (AGD/Australian Commission for Law Enforcement Integrity)

Legal

- Recruitment (noting the APSC is without a permanent General Counsel)
- Consequential amendments to the Australian Public Service Commissioner's Directions 2022 following the making of the Public Service Regulations 2023
- Making of new Commissioner's delegations under the PS Act following amendment of the Australian Public Service Commissioner's Directions 2022
- s47E(d)

Employment Policy

- Finalising the SES Performance Framework for consideration by COO committee in June and Secretaries Board in July

- Providing support and guidance material to agencies in preparation for the imminent release of amendments to the Australian Public Service Commissioner's Directions 2022 and proposed amendments to the Public Service Act.

Inclusion Policy

- Partnering with AGD and Australian Human Rights Commission to host a webinar on the Respect@Work Act to support agencies to implement the new positive duty
- Ongoing diversity and inclusion advice to support whole-of-government reform including the Voice Referendum, Closing the Gap, the Disability Royal Commission and APS bargaining activities.

INTERNATIONAL

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Overview of responsibilities

Purpose: To engage with international partners to build capacity, develop ties and inform the work of the Commission.

The Commission's international engagement to promote good governance is an important element in Australia's foreign policy interests. Globally, good governance is at the heart of democratic processes and public confidence in the integrity, accountability, transparency and efficacy of the public service. The Commission's engagement includes showcasing how we develop and model public sector best practice and promoting Australia as 'partner of choice' for regional partners interested in strengthening their own public sector institutions, practices and policies.

The work serves to fulfil the statutory responsibility outlined in the *Public Service Act 1999*: to work with other governments (including foreign governments) on matters relating to public sector workforce management, leadership and career management (subsection 41(i)).

Internal Team Overviews:

An overview of the International Team's engagements is summarised in the figure below. We lead the delivery of four DFAT (official development assistance) funded programs:

1. **Papua New Guinea** – to develop and strengthen our counterpart's capability in the areas of leadership, gender equality and social inclusion, workforce management and governance.
2. **Pacific** – to strengthen ties between senior officers working in central agencies and public service commissions by providing high-level support and policy advice on key governance issues. Countries included under this program are Fiji, Tonga, Samoa, Nauru, Kiribati, Solomon Islands, Vanuatu and Papua New Guinea.
3. **Indonesia** – to support counterpart agencies to progress ongoing bureaucratic reform initiatives to improve the effectiveness, efficiency, accountability, transparency and management capability of the Indonesian bureaucracy.
4. **ASEAN** – to support the modernisation of civil services across ASEAN member states through providing expert advice and input at workshops and events.

Commission funded international engagement includes:

1. Supporting Australia's delegate to the **OECD** Public Governance Committee (Ms Helen Wilson, Deputy Commissioner);
2. Participating in the **Pacific Public Service** Governance Board as Australia's representative (s47F Executive Director) and the **Pacific Public Service Commissioner's Annual Conference ('Fono')** (Commissioner level participation);

3. Leading the Commission's engagement with **India**. This is underpinned by a MoU with our counterpart agency.
4. Coordinating the Commission's engagement with **Singapore**. This is underpinned by a MoU with our counterpart agency.
5. Managing **incoming delegations** as required.

Priorities

The International team priorities in the coming month are to prepare and finalise arrangements for two incoming delegations and one outbound trip as per below.

Inbound:

1. Delegation of 6 officers from the ASEAN Secretariat in July (5 days, late July tbc). The visit will include presentations and discussion on a range of topics and most likely involve other APS agencies as well.
2. Delegation of 4 senior officers from our Indonesian counterpart agency in July (5 days, dates tbc). Our counterpart agency may self-fund for additional officers to be part of the delegation. The visit will include presentations and discussion on a range of APS reform and digital transformation topics.

Outbound:

3. Delivery of workforce planning workshop in Samoa (16-22 July). This workshop will be co-delivered by officers from the APS Workforce Strategy and Planning Team and Samoan colleagues. The workshop has already been delivered in Fiji (December 2022) and Papua New Guinea (May 2023) and is scheduled to be delivered in Nauru (August-September 2023).

APSC International Engagement

DFAT Vision		A peaceful, stable and prosperous Indo-Pacific region						
APSC Objective		Support counterparts to strengthen their public sector institutions, policies and practices, with a view to establishing deep, enduring and increasingly close links with partner officials and organisations					Contribute to the development of global best practice	
Activities		In-country visits to nurture strong people-to-people relationships and build capacity, as well as marshalling and sharing expertise across the APSC with partners through webinars, conferences and advice						
		Official Development Assistance funding from DFAT					APSC funded	
		Indonesia ¹ Part of the Prospera Program	Malaysia ²	ASEAN	Papua New Guinea Part of the Institutional Partnership Program	Pacific Pacific Institutional Linkages Program (PILP)	India, Singapore, NZ, OECD, UK, Canada, incoming delegations	Total
Partner(s)		KemenPANRB KASN LAN BKN	Public Service Department (JPA)	ASEAN Cooperation on Civil Service Matters ASEAN Secretariat	Department of Personnel Management	Fiji, Kiribati, Nauru, Papua, New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu		
2022-23	ASL ³	1.50	0.15	0.30	0.65	2.10	1.45	6.15
	Activity Funding	\$ 55,000	\$ 23,000	\$ 140,000	\$ 92,000	\$ 705,000	\$ 70,000	\$ 1,085,000
2023-24	ASL	1.90	-	0.45	1.20	3.60	2.00	9.15
	Activity Funding	\$ 29,000	-	\$ 260,000	\$ 97,000	\$ 900,000	\$ 100,000	\$ 1,386,000

¹ In 2022-23 activity funds total over \$136,000, the remainder is provided to a local logistics service provider

² Funding for Malaysia ends on 30 June 2023

³ Based on actual data (1 July 2022 – 30 April 2023) and forecasted data (1 May – 30 June 2023). This does not include 1 ASL seconded for 1 January – 30 June 2023.

WORKFORCE INSIGHTS

Nicole Steele, Assistant Commissioner and LGBTIQ+ Champion

s47F

Overview of responsibilities

Purpose: The Workforce Insights Group provides the evidence base to inform APS workforce policies, strategies and practices, optimising the effectiveness of the APS workforce. The Group provides the trusted and transparent foundations of data collection and reporting, as well as the applied research, analysis and evaluation that enables agencies and the Government to strategically evolve the public service to meet the changing needs of the community. In November each year the Group reports to Parliament on APS workforce insights; this is collated within the State of the Service report.

Internal Team Overviews

- **Insights and Performance** team undertake evaluations against whole-of-APS workforce strategies, such as those in the Diversity and Inclusion area.
- **Economic Analysis** team use data analysis, quantitative modelling, and economic frameworks to generate insights on APS workforce issues (e.g. drivers of the gender pay gap).
- **Workforce Metrics** team provide the trusted source of APS workforce data, including employment and remuneration data relating to current and previous staff employed under the *PS Act*.
- **State of the Service** team prepare the annual State of the Service Report, drawing on research and contributions from across the APSC and other APS agencies.
- **Workforce Research and Analysis** team analyse and report on human resource data and employee perception data collected through annual APS-wide surveys (e.g. APS Employee Census) and agency-specific data surveys (e.g. APS Agency Survey) that the team administers.

Priorities

- APS Employee Census administration (8 May – 9 June 23)
- APS Remuneration Report – data collection and analysis to be finalised by 30 June to hand to Workplace Relations Group to finalise report (this includes the gender pay gap).
- Mid-strategy progress report of the Disability Employment Strategy (as at 2 May a draft is with DSS who co-sponsor the Strategy) – due for completion end June.
- APS Agency Survey administration (19 June – 28 July 23)
- Research insights into promotion of CALD employees to inform the CALD Strategy – due end May.

REFORM PROJECTS AND CAPABILITY REVIEWS

Ashley Sedgwick, Assistant Commissioner and Gender Equity Champion

s47F

Overview of responsibilities

Purpose: The group supports APS agencies to grow their organisational capability and adopt modern management structures and ways of working. Initiatives include the [Capability Review Program](#), [SES Cohort Policy](#) and responding to findings of the [Hierarchy and Classification Review](#).

Internal Team Overviews

Capability Reviews

- The team is responsible for developing the pilot methodology and undertaking agency and cross-cutting thematic reviews. The team also supports agencies with self-initiated reviews. Four agency reviews are currently underway:
 - Australian Public Service Commission (PM&C-led);
 - Department of Infrastructure, Transport, Regional Development, Communications and the Arts (concludes June 2023);
 - Department of Health and Aged Care (concludes June 2023); and
 - Department of Agriculture, Fisheries and Forestry (concludes August 2023).

Reform Projects

- The SES Cohort team monitors SES numbers, manages the SES Cohort policy (to maintain restraint in growth in SES numbers) and helps agencies seek additional SES positions when required. We update the Minister for the Public Service on SES numbers twice a year, in consultation with the Department of Finance.
- The Hierarchy and Classification (H&C) Implementation team coordinates work (including optimal management structures and arrangements for specialists) arising from the 2022 independent review. We are close to finalising all H&C work and expect to transition to light touch monitoring only in mid-2023.

Priorities

Capability Reviews

1. Development of the action plan in response to the APSC review report.
2. Successful kick-off of the Agriculture review in May/June.
3. Publication of Health, Infrastructure and APSC review reports in June.
4. Briefing minister by end of June on next steps for cross-cutting thematic review.

Reform Projects

Release guidance on Optimal Management Structures and ways of working, and transition remaining H&C projects to BAU arrangements.

ENGAGEMENT AND COMMUNICATIONS DIRECTORATE

Acting Executive Director Jim McGrath

s47F

Overview of responsibilities

Purpose: The Engagement and Communications Directorate is a centralised team responsible for communicating the strategic priorities of the Commission. Collaborating with subject matter experts across the Commission, we deliver strategic, digital-first and audience-centred communications products and services. We:

- Deliver strategic communications for the APSC in line with strategic priorities and make sure messages are consistent across communication channels.
- Protect and enhance the APSC's reputation and make sure the APSC is engaged with modern and traditional media.
- Engage our audiences to promote trust and confidence in the APSC.
- Deliver an on-brand, channel-appropriate and high-performing digital-first, audience-centred approach to communications.
- Actively manage our enterprise communications and strategic risks by engaging agencies in our work.
- Manage APSC-wide contracts including for audio visual (Lonsdale St) and accessibility (Intopia) services.

Internal Team Overviews

The ECD is made up of four teams. These are Internal Communications, Strategic Communications and Media, Brand and Design, and Digital Communication and Channels. Together we:

- Provide best-practice advice on strategy, communications and engagement.
- Create digital-first and audience-centred content, video, animation, photography and design.
- Own and manage the APSC's brands and visual identity and provide strategic advice on brand usage and implementation.
- Manage and coordinate the APSC's media presence and facilitate engagement between media and Executive.
- Manage the APSC's communication channels, including mailing lists, APSC and APS social media accounts, the Australian Government Leadership Network (AGLN) and the APSC's 5 websites.
- Coordinate APSC's high priority events such as the APS200 and the State of the Service Roadshow.

- Make sure key messages reach the right audiences at the right time, and measure the effectiveness of our communications.
- Manage internal communications channels and provide advice on messaging from Executive.

Priorities

Integrated Communications Strategy:

- Develop strategy aligned to and delivering the goals identified in the APSC's Corporate plan. This strategy will help the APSC understand and communicate to audiences across all functions. This strategy is informed by audience and brand research, and works together with other priority projects.

Strategic brand development:

- Together with the integrated communications strategy and the APS Employee Value Proposition, we are beginning development on a brand approach for the APSC and its products. This includes visual elements, voice, tone, and APSC narrative. This supports outcomes across the APSC, but it will particularly strengthen the positioning of the APSC. This aligns with the [*Delivering for Tomorrow APS Workforce Strategy 2025*](#).

Communications support of priority projects:

The ECD is working with line areas to provide communications support for the following priority projects:

- **APS Employee Value Proposition** – A strong value proposition for the APS, supported by a clear purpose statement, will attract and retain APS employees. ECD is developing communication and implementation recommendations and supporting a project pitch to the Future of Work Subcommittee of the Secretaries Board.
- **APS Academy Campuses** – ECD is supporting the soft launch of the first APS Academy Campus at University of Newcastle in mid-May, and preparing for the hard launch in June.
- **SES Performance Framework** – ECD is supporting the IPEP group to develop supporting messaging and promote awareness of the Framework and associated guidance. IPEP is presenting this to the COO Committee at the end of May, ahead of approval by Secretaries Board in June.
- **APSC Capability Review** – ECD will manage the internal communications across the APSC for the development of the Action Plan.
- **APS200 event** – ECD is working in partnership with PM&C to deliver the next APS200 event. This quarterly, high profile event is aimed at senior management across the service. The focus of the June meeting is integrity, with Justice Brereton of the National Anti-Corruption Commission a key speaker. As APS Commissioner, it is proposed you deliver the closing address.

WORKFORCE INCLUSION AND STRATEGIES

Assistant Commissioner Katrina Purcell

s47F

Overview of responsibilities

Purpose: The Workforce Strategies and Inclusion Group is responsible for policy advice and projects to shape the APS workforce of the future. The Group supports the Secretaries Board Future of Work Sub-committee and the APS Learning Board. The work program spans APS workforce planning, contemporary public sector workforce management, embedding diversity and inclusion within APS workforce strategy and broader APS capability building.

The Commissioner is the Chair of the APS Learning Board, and Co-Chair of the Future of Work Sub-committee (with Secretary Katherine Jones).

Internal team overviews

Future of Work Taskforce

- Undertakes projects to support the Secretaries Sub-committee on the Future of Work to be a catalyst in driving organisational and workforce reform priorities for the APS, and address pressures and emerging workforce demands.

Workforce Strategy and Planning team

- Runs the APS Centre of Excellence for Workforce Planning to build the APS workforce planning eco-system. The team provides capability development, tools and resources across the system, and a workforce planning advisory service to APS agencies. It also provides oversight and evaluation of the APS Workforce Strategy and contributes to environmental scanning to identify future workforce trends, capabilities and roles.

Diversity and Inclusion strategies

- Provides advice and direction on emerging APS diversity and inclusion priorities including boosting First Nations employment, and strengthening cultural and linguistic diversity in the APS. The team also has responsibility for leading the Cultural Capability Guidance Project in partnership with Defence and NIAA.

Capability Partnerships and Strategy

- Supports the APS Learning Board which brings together senior APS and external leaders to provide strategic guidance for whole of APS capability development, including the implementation of the APS Academy and the [APS Learning and Development Strategy](#). The team also works to build partnerships with universities and other external experts to identify and implement new ways to deliver future public sector capability.

Priorities

- Initiate delivery of the Government's commitment to **boost First Nations employment** to 5% in the APS by 2030, including through standing up of a First Nations Unit.

- Delivery of the **APS Employment Strategy for Culturally and Linguistically Diverse People** in mid-2023. The draft strategy will be considered by the Future of Work Sub-committee in June.
- Initiate new **projects approved through the Capability Reinvestment Fund** including approach to market for tertiary partners to develop capability through specified micro credentials, and project to improve the cultural capability of managers.
- Continue work on current **Future of Work projects**, including on [*APS Flexible Work Principles*](#) and supporting tools, APS Location Strategy, Strategic Commissioning Framework, and the APS Employee Value Proposition.
 - A stocktake of progress for the Future of Work Sub-Committee is planned for the next meeting (30 June), with the discussion to settle a forward work plan.

LEADERSHIP AND TALENT DEVELOPMENT

Kate Boxsell, Assistant Commissioner and Disability Champion

s47F

Overview of responsibilities

Purpose: The Leadership and Talent Development Group contributes to the development of individual and collective APS leadership capability, in order to build the institutional strength of the APS. The Group delivers direct APS Academy capability development across a range of cross-APS cohorts, as well as supporting enhancement of leadership capability frameworks and approaches. It also supports the Secretaries Talent Council and the Deputy Secretaries Talent Council to develop a strong and diverse leadership pipeline for the APS.

As APS Commissioner, you are the Deputy Chair of the Secretaries Talent Council (chaired by Mr Chris Moraitis, Director General of the Office of the Special Investigator), and Deputy Commissioner Wilson is the Deputy Chair of the Deputy Secretaries Talent Council (chaired by Ms Mary Wiley-Smith, Deputy Secretary, Department of Finance).

Internal Team Overviews

Executive Programs

- Responsible for the design and delivery of developmental experiences for Senior Executives across the APS, including the SES Orientation Program, the SES Band 1 Leadership program, the Band 2 Leadership program and Senior Executive Stewardship Program (SESP) for Band 3s and agency heads. The team also facilitates access to scholarships and secondment experiences for all levels of the APS, including the expanded Jawun Secondment Program, the Dr Margot McCarthy Scholarship and the Sir Roland Wilson and Pat Turner Scholarships.

Leadership & Graduate Development

- Designs and delivers capability development programs at scale using a cohort-based, social learning delivery approach. This delivery approach enables learning at scale, reaching a larger, more diverse and geographically dispersed audience. Programs include the APS Graduate Development Program (300 participants across the APS), and the new EL2 Continuous Professional Development program (targeting 500 participants).

Talent Management

- Responsible for supporting the Secretaries Talent Council (STC) and Deputy Secretaries Talent Council (DSTC) to enable the Commissioner and other APS senior leaders to manage the senior leadership pipeline. The team provides advice and secretariat support to the Councils, and manage assessment and development rounds, the annual succession scan and talent development. It is also responsible for management of the APS Talent Working Group and for maintaining common tools that support APS agencies to identify and manage their Executive Level talent.

Priorities

Ongoing delivery of SES programs, with a particular focus on the **second iteration of the Senior Executive Stewardship Program (SESP) in May.**

- Feedback on the new SESP has been very positive. Ongoing effort is needed to ensure awareness of the program and the authorising environment builds sustainable participation from a time poor cohort of leaders. For the first iteration, the Commissioner wrote to Secretaries to invite them to nominate Band 3 and agency heads to participate in the program.

Expansion of the Jawun program, as endorsed by the Secretaries Board.

- The APS is currently on track for expanded numbers with 130 anticipated places to be filled this year. Interviews for the current intake are continuing throughout this month.

Design work is progressing on the EL2 Continuous Development Program to prepare for an intake of 500 EL2 Leaders that are new to role (Starting Out) or preparing for promotion (Stepping-Up).

- In addition the Academy is partnering with the Australian Tax Office to deliver a co-branded an EL2 leadership program. Promotion of the ATO/APS Academy program is commencing in May.

Annual Secretaries Talent Council succession scan to understand the health of the leadership pipeline for 23 of the most senior APS roles. This work will be discussed and settled at the Secretaries Talent Council Calibration Day on 16 June 2023 with input from each Secretary and seven agency heads.

APS CRAFT AND LEARNING

Assistant Commissioner Sita Jackson, SES Sponsor for the APSC Social Club

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Overview of responsibilities

Purpose: The APS Craft and Learning Group is focussed on developing core APS Craft capabilities to support excellence in public service, through a practitioner-led, cross-APS networked model. The Group delivers APS Academy learning courses across the range of APS craft. It also develops broader learning resources, facilitates workshops and seminars, and supports a range of digital learning frameworks and platforms. It also leads work on formal learning models on behalf of the APS, as well as impact and evaluation measurement for learning and development.

Internal team overviews

Learner Experience and Engagement

- The operational hub of the APS Academy, supporting delivery of over 70 courses and L&D programs to individuals and agencies across the APS, as well as the APS Academy's events series. The team is also implementing the networked model for the APS Academy, developing partnerships to build capability across the system (eg with Services Australia, DFAT and Defence)

Capability and Frameworks

- Designs, develops and curates a range of APS craft learning solutions, e.g. courses, resources and events. The team partners with APS craft practitioners (including the APS Academy Faculty), learning specialists and APS agencies to ensure high quality and diverse learning solutions are available through the APS Academy.

Academy Performance and Projects

- Responsible for projects to support the strategic development of the APS Academy, to fulfil its whole of APS system mandate. It is also responsible for measuring, monitoring and evaluating elements of the APS Academy's overall work program.

Learning Platform and Market

- Manages APS Academy technology platforms and projects, including the APS Academy website and APS Learn (learning management system). Also responsible for planning and execution of projects to develop new features or enhancements, including the Learning Bank and business case development for a Learning Marketplace.

APS Mental Health and Suicide Prevention Unit

- Operates as a specialist centre of excellence for the APS to support capability uplift of APS organisational mental health and suicide prevention systems. The team has developed state of the art electronic learning packages to support APS staff, and also provides advice to agencies on the continuous improvement of workforce mental health capability governance, frameworks and systems

Priorities

- **Continuing focus on APS Craft capability building in specific priority domains**
 - Integrity – potential new offerings working with the Integrity Taskforce and cross-APS integrity governance structures
 - Working in government – potential new offerings to support improved procurement practice, working with Finance, and strengthening partnerships between the APS and Ministers and their offices
- **Ongoing delivery of APS Academy craft offerings** – ongoing effort is required to promote awareness of direct and partnered delivery offerings, including priority areas requested by Secretaries Board such as SES Integrity Masterclass and Strengthening Partnerships program
- **APS Learning Quality Framework** – the Framework is a key deliverable under the APS L&D Strategy (and has been funded by Secretaries Board). It sets out the standards to identify, develop and deliver higher quality, effective and innovative learning experiences.
- **Learning Bank** – pilots to test technology, business processes and change management/communication artefacts for the sharing and reuse of existing L&D solutions.
- **Connections: Core capabilities for workplace peer supporters** – supporting the implementation of the first of its kind capability-building eLearning program and complementary resources across the APS.

PROFESSIONS AND PATHWAYS

Assistant Commissioner Daniela Schlesier

s47F

Overview of responsibilities

Purpose: The Professions and Pathways Groups delivers cross-APS workforce development and capability building through supporting the APS Professions Model and the Australian Government Supported Pathways program, including the APS Academy Campuses. It also supports a number of other cross-APS enabling functions, including the APS Jobs website and the Commonwealth Government Style Manual.

The Commissioner is the Head of APS Professions, and has overall governance responsibility for the Professions model. There are currently three established professions:

- The Human Resources (HR) Profession was launched on 28 October 2019, and is headed by Ms Jacqui Curtis, Chief Operating Officer at the ATO
- The Data Profession was launched on 16 September 2020, and is headed by Dr David Gruen AO, Australian Statistician
- The Digital Profession was launched on 30 April 2020, and is headed by Mr Chris Fechner, CEO of the DTA

Internal Team Overviews

APS Professions

- Supports the development and delivery of targeted capability building initiatives across all of the Professions to support holistic workforce planning for their relevant capabilities.
- The APSC also provides some additional direct digital program implementation to the Digital Profession, following the transfer of some functions from the DTA in a Machinery of Government change in 2021.
- This team also maintain the Commonwealth Government Style Manual.

Australian Government Supported Pathways

- Provides centralised planning, marketing and communications for a number of cross-APS entry level and pathways programs, including:
The Australian Government Graduate Program
- Digital and Data Cadetships
- Digital Traineeships
- Australian Government Apprenticeship Program
- Indigenous Apprenticeship Program
- The team is also responsible for the implementation of the APS Academy Campuses – a new

pilot program of four regional-based entry cohorts, being developed in partnership with universities.

Digital Products and Services

- Responsible for digital strategy, technology roadmap and digital advice to support the APS professions model. Also responsible for digital capability and competency frameworks, and delivery of new digital and data literacy/competency program
- Also responsible for maintenance of a number of websites including APS Jobs, Career Pathways, Career Pathfinder, Member Community Platform (MCP), digital profession website

Priorities

Development of potential new Professions

- Current consideration of addition of Evaluation and Procurement Professions (in partnership with Treasury and Finance respectively)

Further alignment of back-office functions for Professions model

- Implementation of high-level design model agreed between APSC and Professions in late 2022 to develop a more effective and efficient support model, including to support potential expansion of number of Professions

Required come-back to Future of Work Sub-committee to discuss **sustainable funding model for Australian Graduate Program** on behalf of all lead agencies

- Design work is currently underway, including consultation through cross-AGS steering group

Implementation of APS Academy Campuses:

- Newcastle (University of Newcastle) and Townsville (James Cook University) campuses due to open in mid-year, and are on-track
- Darwin (Charles Darwin University) being transitioned to a virtual campus option, with timing to be advised, following limited placement numbers
- Development work continuing with Launceston (University of Tasmania), investigating options for start in early 2024, pending demand for placements

APS EXHIBITION

Assistant Commissioner Lina Ranieri

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Overview of responsibilities

Purpose: The APSC is working in close consultation with the Museum of Australian Democracy to develop an exhibition in Old Parliament House focusing on the role of the APS in supporting the community and protecting democracy. This work follows the launch of a smaller exhibition within MoAD that focuses on the role of the APS in supporting the government of the day. This is located in the MoAD Prime Minister's precinct.

The new exhibition is called ***Spirit of Service***. The overall big idea for the exhibition is to focus on the need for a strong and impartial public service. We want people to be surprised about the variety of ways the APS supports them and keeps democracy safe, often invisible and in unexpected ways.

The exhibition will be aimed at engaging all visitors to Old Parliament House, with two core audience sectors in mind: Senior secondary students (Years 9 -12) and Parents.

The voice of Australian Public Servants, from a variety of past and present roles and diverse voices, become a key narrative thread throughout, connecting and engaging with each of us.

Internal Team Overviews

The APSC program of work is led by a part-time contractor (SES equivalent). Three Directors lead major project streams: base build design and construction; exhibition design, construction and fit out; content development; marketing and communications. There are three support staff across the team - an APS 6, APS 5 and APS 2.

Priorities

The exhibition is scheduled to open with a formal launch on 15 August 2023. The base build of the exhibition space is complete and exhibition design is finalised. We have successfully transformed the Senate Undercroft at Old Parliament House from a storeroom to a code-compliant (e.g. building, WHS, heritage), future-proofed, state-of-the-art exhibition space.

Any works in Old Parliament House necessitates detailed heritage approvals. We have developed and submitted three detailed heritage actions proposals, seven amendments and thirty nine project records during the base build phase program of work.

We are now in the construction and fit out stage, along with concurrent development of final content and object inclusions. A marketing and communications strategy is being developed. As the exhibition will be handed over to MoAD after the launch, a handover and maintenance agreement will be prepared in consultation between APSC and MoAD.

2 APSC BUDGET SUMMARY

The Commission's ordinary baseline budget is comprised of four main components:

1. Departmental Appropriations

- Annual amounts of funding for ordinary operating expenses received through the Budget each year. The Commission's ongoing baseline departmental appropriation is **\$45 million** excl. temporary measures.

2. External Revenue

- The Commission provides a significant catalogue of services to the APS, predominantly in the Learning & Development space through the APS Academy. The Commission's ongoing baseline estimate for retained external revenues is **\$20 million**.

3. Departmental Capital Budget

- Annual amounts of funding for capital expenditure received through the Budget each year. The Commission's ongoing baseline departmental capital budget is \$0.4 million.

4. Special Appropriations

- Annual amounts of funding provided under the Remuneration Tribunal Act 1973 for payments to Judicial Office Holders. The Attorney-General's Department makes these payments on behalf of the Commission. The Commission's ongoing baseline special appropriation is **\$4.5 million**.

2022-23

In 2022-23, the Commission has received more resourcing than ever before. The total operating budget for 2022-23 was **\$81.1 million*** excl. capital and special appropriations, and had increased over prior years due to temporary Budget measures funded through new policy proposals in the March and October 2022-23 Budgets, increased demand for APSC services such as the APS Academy, and whole-of-service contributions under the APS Academy subscription model.

The Commission also currently houses the Parliamentary Workplace Support Service (PWSS) and the Office of the Merit Protection Commissioner (MPC), both of which are funded under the Commission's annual departmental appropriation.

The Commission budgets for a break-even operating result each year, and is on track to achieve this in 2022-23.

*Current year **(2022-23 Budget Summaries)** are overleaf.

2023-24

The Commission's resourcing in 2023-24 reduces by ~\$2 million, with the operating budget to be set at **\$79.3 million** excl. capital and special appropriations. The departmental appropriation remains similar to 2022-23 as a result of new measures agreed in Budget 2023-24, with the reduction resulting from a decreased estimate for external revenue.

Australian Public Service Commission 2022-23 Internal Budget (excl. MPC and PWSS)

<u>Funding Source</u>	<u>\$(m)</u>
Departmental Appropriation	53.6
External Revenue	22.1
<i>Operating Total</i>	<i>\$75.7 million</i>
Departmental Capital Budget	2.3
Special Appropriation	4.4
TOTAL	\$82.5 million

Workforce Policy, Integrity & Operations		Academy & Capability		Workplace Relation Bargaining Taskforce	
<u>Funding Source</u>	<u>\$(m)</u>	<u>Funding Source</u>	<u>\$(m)</u>	<u>Funding Source</u>	<u>\$(m)</u>
Appropriation	23.9	Appropriation	7.8	Appropriation	1.7
External Revenue	1.8	External Revenue	20.1	External Revenue	0
Capital	0	Capital	0	Capital	0
TOTAL	\$23.7m	TOTAL	\$28.1m	TOTAL	\$1.7m

2022-23 APSC Commissioners, MOAD, and General Commission Costs/Overheads

<u>Funding Source</u>	<u>\$(m)</u>
Departmental Appropriation	20.3
External Revenue	0.3
Departmental Capital Budget	2.3
Special Appropriation	4.4
TOTAL	\$27.3 million

Office of the Merit Protection Commissioner 2022-23 Internal Budget

<u>Funding Source</u>	<u>\$(m)</u>
Departmental Appropriation	2.1
External Revenue	0
Departmental Capital Budget	0
TOTAL	\$2.1 million

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3 YOUR EXECUTIVE TEAM

HELEN WILSON

DEPUTY COMMISSIONER, WORKFORCE POLICY, INTEGRITY AND OPERATIONS AND CHIEF OPERATING OFFICER

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Helen Wilson commenced as the Deputy Commissioner in December 2022, joining the Commission from the Australian Bureau of Statistics as the Deputy Australian Statistician where she was responsible for producing the ABS' demographic, economic and social statistics.

Helen is the Deputy Chair of the COO Committee.

Helen is the Deputy Chair of the Deputy Secretary Talent Council

SUBHO BANERJEE

DEPUTY COMMISSIONER, HEAD OF APS ACADEMY AND CAPABILITY

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Subho Banerjee commenced as the Deputy Commissioner in January 2023, joining the Commission from The Australia and New Zealand School of Government as the Deputy CEO, where he worked on public sector reform issues at the interface of academia and practice.

Subho is the APSC representative on the ANZSOG board.

PETER RIORDAN PSM CF

DEPUTY COMMISSIONER, WORKPLACE RELATIONS TASKFORCE

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Peter Riordan commenced as the Deputy Commissioner and Chief Negotiator in October 2022 and has over 40 years' experience as an industrial relations practitioner and fulfilled senior leadership roles with the Finance Sector Union and the NSW Public Service, including as the Deputy Secretary of the NSW Education Department.

4 MINISTER FOR THE PUBLIC SERVICE

ROLE AND FUNCTIONS

The Prime Minister is responsible for the administration of the APS. The Prime Minister typically appoints a Minister to assist the Prime Minister on APS matters.

The Minister is responsible for oversight of the performance of the APS. As an agency Minister, they also have oversight of the activities of the APSC, including receipt of the annual State of the Service Report for tabling in Parliament.

The Minister for the Public Service is responsible for all Commonwealth public sector bodies that employ staff under the PS Act. The Minister for the Public Service has overall responsibility for the policies governing these staff and other matters covered by the PS Act.

The APS is part of the broader Commonwealth public sector, which includes statutory agencies with staff employed under agency enabling legislation (not the PS Act), Government Business Enterprises and the Australian Defence Force.

On 31 December 2022, the APS consisted of 16 Departments of State and 84 agencies under these Departments.

As at this date, the APS employed 161,645 full and part time staff. This figure includes permanent (ongoing) and temporary (non-ongoing) employees.

MINISTER POWERS UNDER THE PS ACT

The PS Act confers specific powers on the Minister for the Public Service and the Prime Minister.

- Subsection 24(3) allows the Minister to determine remuneration and terms and conditions applying to APS employees.

This power is used in exceptional circumstances. It is most typically used when new departments are created following machinery of government changes. In these cases, subsection 24(3) is used to prevent APS employees in new departments reverting to the minimum terms and conditions of the APS Award.

- Clause 41(2) (k) allows the Minister to direct the APS Commissioner to conduct a review of any matter relating to the APS and to provide a report.

The Prime Minister also has powers under the PS Act:

- Section 21 allows the Prime Minister to issue general directions to agency heads relating to the management and leadership of APS employees.
- Section 41C allows the Prime Minister to direct the APS Commissioner to conduct a systems review of any matter relating to an APS agency.
- Section 41D allows the Prime Minister to direct the APS Commissioner to conduct a special review concerning any matter relating an APS agency, or the functional relationship between two or more agencies.

COMMONWEALTH PUBLIC SECTOR RESPONSIBILITIES

While the Minister for the Public Service is primarily responsible for the APS, some of their responsibilities apply to the broader Commonwealth public sector. Most notable is the Government's policy on wages, employment terms and conditions and enterprise bargaining arrangements which apply across the broader Commonwealth public sector and not just the APS.

Further information on workplace relations matters is contained in [WORKPLACE RELATIONS](#) section.

The Minister is also responsible for:

- the Remuneration Tribunal, which sets remuneration for senior statutory offices, Parliamentarians, the federal judiciary, and departmental Secretaries;
- remuneration in the Australian Defence Force (ADF) under the Defence Act 1903. The Defence Force Remuneration Tribunal determines remuneration for the ADF. The Commission supports the Ministers responsibility by representing the Commonwealth as the employer before the Tribunal; and
- oversight of the maternity and long service leave arrangements governed by the *Maternity Leave (Commonwealth Employees) Act 1973* and *Long Service Leave (Commonwealth Employees) Act 1976*.

TABLE: SUMMARY OF MINISTERIAL POWERS AND FUNCTIONS UNDER THE PS ACT

Section	Description
Subsection 24(3)	The Minister may, by legislative instrument, determine the terms and conditions of employment applying to APS employees, if considered desirable because of exceptional circumstances. This power cannot be delegated.
Subsection 31(3)	Give notice to an agency head (the Commissioner) in relation to forfeiture of additional non-Commonwealth remuneration.
Subsection 33(6)	The Minister is to be consulted by the Merit Protection Commissioner (MPC) if the MPC is not satisfied with an agency head's response to recommendations contained in a report on a review of employment action before a report is sent to the Agency Minister and/or the Prime Minister or Presiding Officers.
Section 41C	The Prime Minister can direct the Commissioner to conduct a systems review in relation to any matter relating to an Agency and receive a report of the review. Note that any Agency Minister can request the Prime Minister to direct the Commissioner to conduct a systems review, for example, in relation to the agency they administer.
Subsection 44(1)	Receive an annual report from the Commissioner on APSC's activities during the financial year, including the state of the APS (State of the Service Report), and present it to Parliament by 30 November after the financial year to which the report relates.
Subsection 46(5)	May grant the Commissioner leave of absence, other than recreation leave, on the terms and conditions as to remuneration or otherwise that the Agency Minister determines.
Subsection 46(6)	The Minister may determine the terms and conditions (if any) for the Commissioner in relation to matters not covered by the Act.
Section 48	Appoint an acting Commissioner to fill a vacancy, if the Commissioner is absent, or is for any reason unable to perform the duties of the office.
Paragraph 50(1)(c)	The Minister may request the MPC to inquire into an APS Agency Head or employee action in relation to the employment of another APS employee, and may receive a report from the MPC on that inquiry.
Subsection 51(1)	The Minister receives an annual report after the end of each financial year on the activities of the MPC, for presentation to Parliament.
Subsection 53(5)	May grant the MPC leave of absence, other than recreation leave, on the terms and conditions as to remuneration or otherwise that the Agency Minister determines.
Subsection 53(6)	The Minister may determine the terms and conditions (if any) for the MPC in relation to matters not covered by the PS Act.
Section 55	The Minister may appoint an Acting MPC to fill a vacancy, if the MPC is absent or is for any reason unable to perform the duties of the office.
Subsection 73(2), 73(4) and Public Service Regulation 104	The Minister may authorise the making of payments, up to a maximum total amount of \$250,000 to people, under subsection 73(2), if the Minister considers it appropriate to do so because of special circumstances that arise out of the payee's employment by the Commonwealth or another person's employment by the Commonwealth. Payments may be authorised even though they would not otherwise be authorised by law or required to meet a legal liability. Conditions may be attached to these payments. This power has been delegated to APS agency heads.

Subsection 78(2)	The Minister may, in writing, delegate to another Minister any of the Minister's powers or functions, other than section 78 (delegations) or section 24 (remuneration and other conditions).
Subsection 78(3)	The Minister may, in writing, delegate to a senior official any of the Minister's powers or functions under section 73 (payments in special circumstances). A 'senior official' is defined in subsection 78(12) as a person holding office or appointment under an Act or an SES (or acting SES) employee.
Subsection 78(4)	As Minister responsible for the Australian Public Service Commission, the Minister may, in writing, delegate any powers or functions to a senior official, other than section 78 (delegations).

Note: Directions and Determinations made by the Minister or the Prime Minister are not subject to disallowance.

5 ROLES AND RESPONSIBILITIES OF THE AUSTRALIAN PUBLIC SERVICE COMMISSIONER

POWERS UNDER THE PS ACT 1999

The APS Commissioner is a statutory appointment under the PS Act.

The Commissioner's overarching functions, as set out in section 41 of the Act, are:

- to strengthen the professionalism of the APS and facilitate continuous improvement in workforce management in the APS;
- to uphold high standards of integrity and conduct in the APS, and
- to monitor, review and report on APS capabilities within and between agencies to promote high standards of accountability, effectiveness and performance.

The Commissioner is the deputy chair of the Secretaries Board which is established by section 64 of the Act.

SYSTEMS REVIEWS

Under section 41C of the PS Act, the Prime Minister may direct the Commissioner to conduct a systems review of any matter relating to an Agency, including:

- the management and organisational systems, structures or processes in an Agency; and
- the functional relationships between two or more Agencies.

An Agency Minister may request the Prime Minister to make a direction under subsection 41C(1) that relates to an Agency.

The Secretary of a Department may request the Prime Minister to make a direction under subsection 41C(1) that relates to the Department or any other Agency in the same portfolio as the Department.

The Commissioner must give a report on the review to:

- the Prime Minister; and
- if the review was conducted because of a request by an Agency Minister or a Secretary, the Agency Minister or the Secretary.

If a direction under subsection 41C(1) is given in writing, the direction is not a legislative instrument.

SPECIAL REVIEWS

Under section 41D of the PS Act, the Prime Minister may direct the APS Commissioner to conduct a special review of:

- any matter relating to an Agency; or
- the functional relationships between 2 or more Agencies.

The Commissioner must give a report on the review to

- the Prime Minister; and
- the Agency Minister of each Agency to which the review relates.

If a direction under subsection 41D(1) is given in writing, the direction is not a legislative instrument.

DIRECTIONS

Under section 11 and 42 of the PS Act, the Commissioner may issue directions to agency heads and APS employees necessary for the effective operation of the APS. Directions also support APS agencies to incorporate and uphold the APS Values and Employment Principles, conduct recruitment activities and undertake performance management.

INSTITUTIONAL INTEGRITY

Under the section 41 of the PS Act, the Commissioner has statutory responsibility for institutional integrity; specifically:

- upholding high standards of integrity and conduct in the APS (subsection 41(1)(b));
- promoting the APS Values, the APS Employment Principles and the Code of Conduct (subsection 41(2)(e));
- evaluating the extent to which APS agencies incorporate and uphold the APS Values and the APS Employment Principles (subsection 41(2)(f));
- evaluating the adequacy of systems and procedures in agencies for ensuring compliance with the Code of Conduct (subsection 41(2)(l));
- inquiring into alleged breaches of the Code of Conduct by agency heads (subsection 41(2)(m));
- inquiring into and determining (in accordance with section 41B) whether an APS employee, or a former APS employee, has breached the Code of Conduct (subsection 41(2)(n)); and
- inquiring, subject to the regulations, into public interest disclosures to the extent that the disclosures relate to alleged breaches of the Code of Conduct (subsection 41(2)(o)).

STATE OF THE SERVICE REPORT

Under section 44 of the PS Act, as soon as practicable after the end of each financial year, the Commissioner must give a report to the Agency Minister, for presentation to the Parliament, on the state of the APS during the year.

An agency head must give the Commissioner whatever information the Commissioner requires for the purpose of preparing the report referred to in subsection (1).

The Agency Minister must cause a copy of the report given to the Minister under subsection (1) to be laid before each House of the Parliament by 30 November after the financial year to which the report relates.

SECRETARY APPOINTMENTS

Under section 58 of the PS Act, the Governor-General appoints a Secretary of a Department on the Prime Minister's recommendation.

Before recommending to the Governor General that a person be appointed as the Secretary of the Prime Minister's Department, the Prime Minister must have received a report about the appointment prepared by the Commissioner.

Before recommending an appointment be made, the Prime Minister must receive a report from the Secretary of the Department of the Prime Minister and Cabinet. In preparing this report, the Secretary must consult with:

- the Commissioner; and
- the person who is expected to be the Agency Minister of the other Department at the time the appointment is made.

If the Secretary of the Department of the Prime Minister and Cabinet and the Commissioner disagree in relation to the appointment, the substance of this disagreement must be explained in the report.

The Secretaries Board has implemented formal talent management for the most senior APS roles, including Secretaries. It is a key reference point for the Secretary of PM&C in providing advice to the Prime Minister on Secretary appointments.

SECRETARY APPOINTMENT TERMINATIONS

Under section 59 of the PS Act, the Governor-General may terminate a Secretary's appointment on the Prime Minister's recommendation.

Before recommending an appointment be terminated, the Prime Minister must receive a report from the Secretary of the Department of the Prime Minister and Cabinet. The Secretary must consult the Commissioner in preparing this report, and if there is disagreement, its substance must be explained.

Before recommending to the Governor-General that the appointment of the Secretary of the Department of the Prime Minister and Cabinet be terminated, the Prime Minister must have received a report about the proposed termination from the Commissioner.

AGENCY HEAD APPOINTMENTS

Government policy requires that the recruitment of APS agency heads and other statutory office holders is subject to a transparent and merit-based assessment. This policy also ensures that existing office holders are given sufficient notice as to whether or not they will be reappointed and that vacancies will be advertised well in advance of them falling due.

The primary role of the APS Commissioner under the policy is to ensure that assessment of candidates is based on merit.

SES BAND 3 APPOINTMENTS

The recruitment to SES vacancies must meet the requirements in the APS Commissioner's Directions 2022, including that selection decisions are based on merit and that the Commissioner or his representative is on the selection panel. For recruiting to SES band 3 roles, the Commissioner must be notified in advance to provide the opportunity for consultation with the Talent Council to identify development opportunities.

AGENCY HEAD INTEGRITY MATTERS

The Commissioner has a statutory function under the PS Act to inquire into alleged breaches of the APS Code of Conduct by agency heads and some statutory office holders.

Inquiries into Code breaches by APS employees are ordinarily the responsibility of the relevant agency head.

MACHINERY OF GOVERNMENT CHANGES

If the Commissioner is satisfied that it is necessary or desirable in order to give effect to an administrative rearrangement, under section 72 of the PS Act, the Commissioner may:

- move APS employees to another Agency (without anyone's consent), by a determination in writing;
- determine in writing that APS employees cease to be APS employees and become non-APS employees of a specified Commonwealth body or Commonwealth authority;
- determine in writing that non-APS employees cease to be employed as non-APS employees and become engaged as APS employees in a specified Agency; and
- on behalf of the Commonwealth, engage any person as an APS employee in a specified Agency.

Regulation 8.1 of the Public Service Regulations 1999 ensures an affected APS employee's salary is preserved and enables an agency head to consider preserving other terms and conditions subject to Machinery of Government principles and other applicable Government policies.

OTHER ROLES AND FORA

Australia and New Zealand School of Government

- Peter Woolcott AO is the current Chair and a Director of the ANZSOG Board, and will cease these roles on 31 May 2023.
- Subho Banerjee is the nominated alternate Director providing Commonwealth representation on the ANZSOG Board. Consistent with the ANZSOG Constitution, this will also cease on 31 May 2023.
- Discussions have begun with ANZSOG in relation to the nomination process for a Commonwealth representation on the Board.

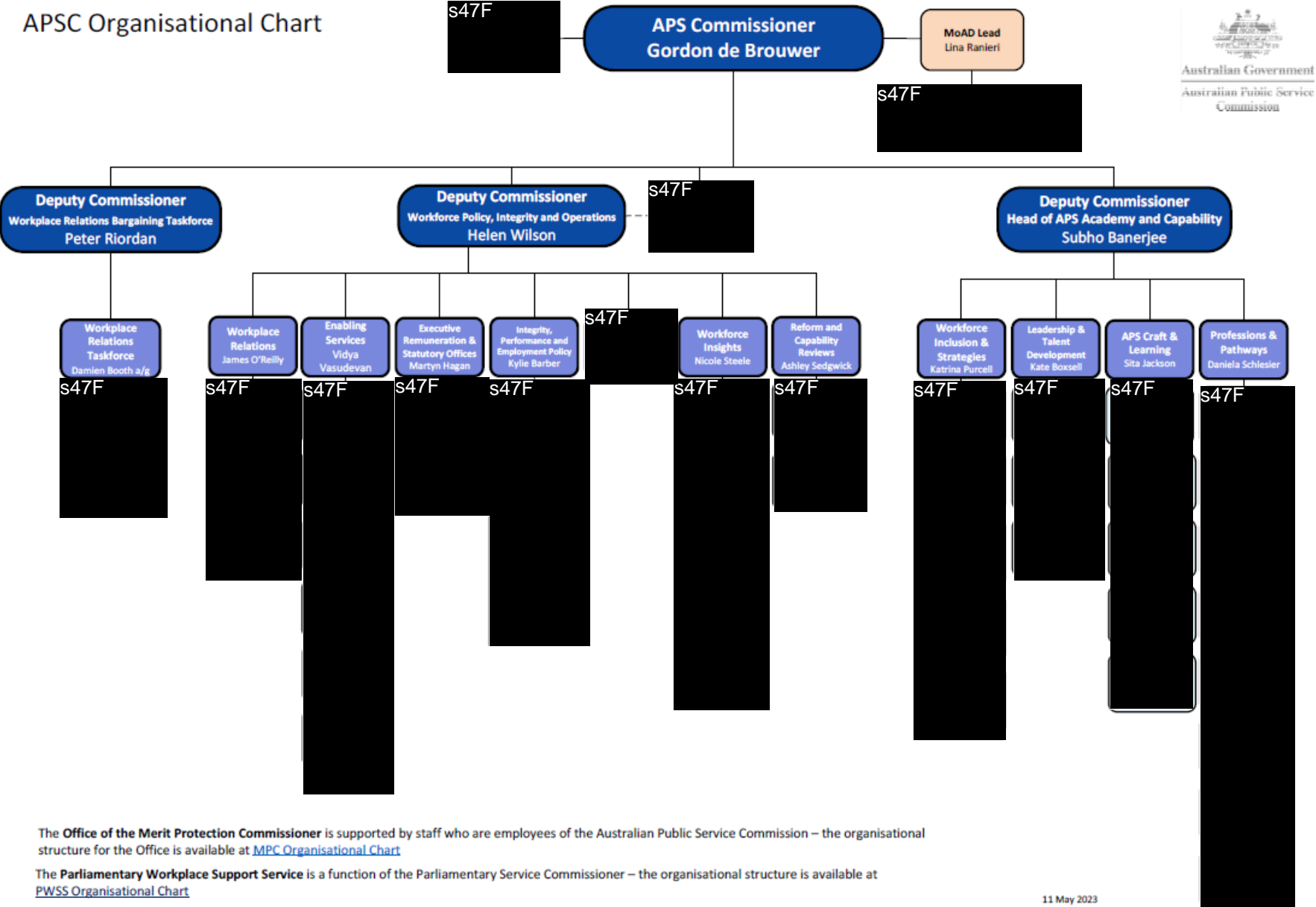
Public Sector Commissioners Conference

- The PSCC is an inter-jurisdictional group made up of the Australian and Aotearoa New Zealand Commissioners (with international observers from Singapore, Papua New Guinea and Indonesia).
- Commissioners' progress actions reflecting shared challenges and opportunities through a Work Plan. Implementation is largely through cross-jurisdictional working groups and networks, and sharing jurisdictional efforts and lessons learned.
- Meetings are held bi-annually, generally in April and October, with a rotating chair. NSW are hosting the next conference on 18/19 October.
- The Commission provides secretariat services for the PSCC with the support of the hosting jurisdiction.

APPENDICES

1 ORGANISATIONAL CHART

APSC Organisational Chart



The **Office of the Merit Protection Commissioner** is supported by staff who are employees of the Australian Public Service Commission – the organisational structure for the Office is available at [MPC Organisational Chart](#)

The **Parliamentary Workplace Support Service** is a function of the Parliamentary Service Commissioner – the organisational structure is available at [PWSS Organisational Chart](#)

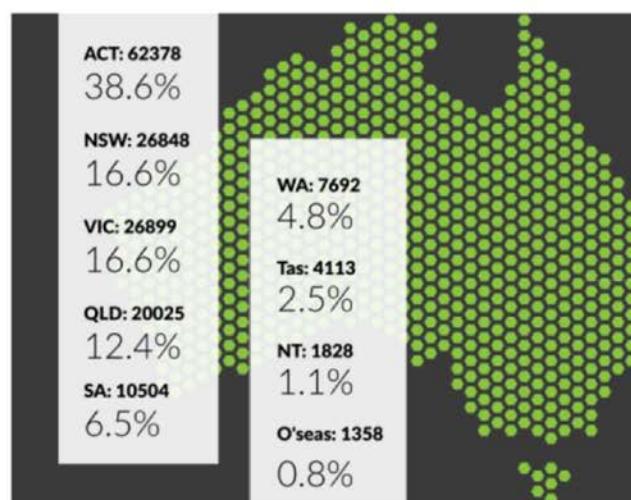
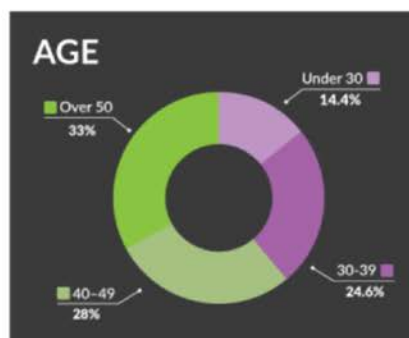
11 May 2023

2 CONTACT LIST

Australian Public Service Commission				
		Phone No	Mobile No	Location
Commissioner	Gordon de Brouwer	s47F		Level 5 Exec Suite
Chief of Staff	s47F			Level 5 Exec Suite
Executive Assistant				Level 5 Exec Suite
Deputy Commissioner, Workforce Policy, Integrity and Operations	Helen Wilson	s47F		Level 5 Exec Suite
Executive Assistant	s47F			Level 5 Exec Suite
Deputy Commissioner, Head of APS Academy and Capability	Subho Banerjee	S 47F		Level 5 Exec Suite
Executive Assistant	s47F			Level 5 Exec Suite
Deputy Commissioner, Workplace Relations Bargaining Taskforce	Peter Riordan	s47F		Level 5 South
Executive Assistant	s47F			Level 5 South
Merit Protection Commissioner	Kirsteen Banwell (A/g MPC)	s47F		Sydney Office
Executive Officer	s47F			Sydney Office
Executive Assistant				Sydney Office
Director, Strategy & Projects				Sydney Office
Director, Review and Casework				Sydney Office
Principal Review Officer				Sydney Office
Principal Review Officer				Sydney Office
Head of the Parliamentary Workplace Support Service (PWSS)	s22	s22		E-Block - Canberra
Executive Officer	Vacant	s22		APH, M2.105
Executive Assistant	s22			APH, M2.105
Assistant Head of Service				APH, M2.105
Chief Operating Officer				VIC
Director, Case Coordinator				APH, M2.105
Reporting to the Deputy Commissioner, Workforce Policy, Integrity and Operations				
Reform and Capability Reviews				
Assistant Commissioner	Ashley Sedgwick	s47F		Level 4, B Block
Executive Assistant	Vacant			
Director, Implementation	s47F			Level 4, B Block
Director, Capability Review				Level 4, B Block
Integrity, Performance & Employment Policy				
Assistant Commissioner	Kylie Barber	s47F		Level 4 North
Executive Assistant	s47F			Level 4 North
Director, Integrity and Ethics				Level 4 North
Director, Legal				Level 4 North
Director, Employment Policy				Level 4 North
Director, Inclusion Policy				Level 4 North
Workplace Relations				
Assistant Commissioner	James O'Reilly	s47F		Level 5 South
Executive Assistant	s47F			Level 5 South
Director, Workplace Relations Policy				Level 5 South
Director, Remuneration Policy				Level 5 South
Director, Conditions Policy				Level 5 South
Workplace Relations Bargaining Taskforce				
Chief Negotiator	Peter Riordan	s47F		Level 5 South
Assistant Commissioner	Damien Booth			Level 5 South
Executive Assistant	s47F			Level 5 South
International				
Executive Director, International	S 47F	s47F		Level 5 South
Director, International				Level 5 South
Workforce Insights Group				
Assistant Commissioner	Nicole Steele			MoAD
Executive Assistant	s47F	s47F		MoAD
Director, Workforce Research & Analysis				MoAD
Director, Workforce Metrics				MoAD
Director, State of the Service Report				MoAD
Director, Insights and Performance				MoAD
Director, Economic Analysis				MoAD
Enabling Services				
Assistant Commissioner	Vidya Vasudevan	s47F		Level 3 North
Executive Assistant	s47F			Level 3 North
Administrative Support				Level 3 North
A/g Director, People				Level 3 North
Director, Finance				Level 3 North
Director, Governance & Parliamentary				Level 3 North
Director, Digital Strategy				Level 3 North
Director, Property				Level 3 North
Director, APS Workforce Deployments (Workforce Management Taskforce/Surge Reserve)				Level 4 North
Executive Remuneration and Statutory Offices				
Assistant Commissioner	Martyn Hagan	s47F		E Block
Admin Assistant	s47F			E Block
Senior Advisor, Remuneration Tribunal/DFRT				E Block
Senior Advisor, Remuneration Tribunal				E Block

Professions and Pathways				
Assistant Commissioner		Daniela Schlesier	s47F	Level 4 South
Executive Assistant		s47F		Level 4 South
Director APS Professions				Level 4 South
Emerging Talent				Level 4 South
Strategy and Frameworks				Level 4 South
Digital Traineeships				Level 4 South
APS Jobs & Projects				Level 4 South
Career Pathways APS Academy Campuses Director				Level 4 South
Career Pathways APS Academy Campuses Director				Level 4 South
Director, Entry Level programs				Level 4 South
Reporting to the Deputy Commissioner, Head of APS Academy and Capability				
Workforce Inclusion and Strategies Group				
Assistant Commissioner		Katrina Purcell	s47F	Level 3 South
Executive Assistant		s47F		Level 3 South
Director, Diversity & Strategy				Level 5 South
Director, Future of Work Taskforce				Level 3 South
Director, Future of Work Taskforce				Level 3 South
Director, Workforce Strategy & Planning				Level 3 South
Director, Diversity & Inclusion Projects				N/A
Director, Capability Partnerships and Strategy				Level 3 South
APS Craft & Learning				
Assistant Commissioner		Sita Jackson	s47F	MoAD
Executive Assistant		s47F		MoAD
Director, Operations				MoAD
Director, Capability and Frameworks				MoAD
Director, Capability and Projects				MoAD
Mental Health and Suicide Prevention Unit				Level 4 North
Director, Learning Platforms and Market				Level 2 E Block
Leadership & Talent Development				
Reporting to the Office of the Commissioner				
MoAD Exhibition				
MoAD Project Lead		Lina Ranieri	s47F	MoAD
A/g Director, Talent Management		s47F		Level 3 North
Director, Executive Programs				Level 3 North

3 KEY STATISTICS ON THE APS



4 APS HEADCOUNT BY PORTFOLIO AND AGENCY

Agency name	Functional cluster	Headcount
Agriculture, Fisheries and Forestry	Larger Operational	5453
Australian Fisheries Management Authority	Regulatory	170
Australian Pesticides and Veterinary Medicines Authority	Regulatory	198
Attorney-General's	Policy	2218
Administrative Appeals Tribunal	Smaller Operational	712
Australian Commission for Law Enforcement Integrity	Specialist	103
Australian Criminal Intelligence Commission	Specialist	798
Australian Financial Security Authority	Smaller Operational	391
Australian Human Rights Commission	Specialist	130
Australian Law Reform Commission	Policy	13
Australian Transaction Reports and Analysis Centre	Regulatory	503
Federal Court of Australia	Specialist	1417
Office of the Australian Information Commissioner	Regulatory	170
Office of the Commonwealth Ombudsman	Specialist	320
Office of the Director of Public Prosecutions	Specialist	442
Office of the Inspector-General of Intelligence and Security	Specialist	45
Office of Parliamentary Counsel	Specialist	106
Office of the Special Investigator	Regulatory	6
Climate Change, Energy, the Environment and Water	Policy	3714
Bureau of Meteorology	Larger Operational	1716
Clean Energy Regulator	Regulatory	374
Climate Change Authority	Specialist	29
Great Barrier Reef Marine Park Authority	Specialist	256
Murray-Darling Basin Authority	Policy	283
North Queensland Water Infrastructure Authority	Specialist	2
Defence	Larger Operational	17363
Defence Housing Australia	Smaller Operational	576
Education	Policy	1309
Australian Research Council	Specialist	176
Tertiary Education Quality and Standards Agency	Regulatory	99
Employment and Workplace Relations	Policy	3091
Asbestos Safety and Eradication Agency	Specialist	18
Australian Building and Construction Commission	Regulatory	35
Australian Skills Quality Authority	Regulatory	194
Comcare	Smaller Operational	668

Fair Work Commission	Smaller Operational	292
Fair Work Ombudsman and Registered Organisations Commission Entity	Regulatory	973
Safe Work Australia	Policy	102
Finance	Policy	1782
Australian Electoral Commission	Smaller Operational	2122
Digital Transformation Agency	Smaller Operational	224
Future Fund Management Agency	Specialist	246
Independent Parliamentary Expenses Authority	Specialist	67
Foreign Affairs and Trade	Policy	4682
Australian Centre for International Agricultural Research	Specialist	61
Australian Trade and Investment Commission	Specialist	885
Health and Aged Care	Policy	5863
Aged Care Quality and Safety Commission	Regulatory	957
Australian Commission on Safety and Quality in Health Care	Specialist	89
Australian Digital Health Agency	Smaller Operational	269
Australian Institute of Health and Welfare	Specialist	517
Australian Radiation Protection and Nuclear Safety Agency	Specialist	148
Cancer Australia	Specialist	77
Food Standards Australia New Zealand	Regulatory	114
National Blood Authority	Specialist	71
National Health and Medical Research Council	Specialist	227
National Health Funding Body	Specialist	30
National Mental Health Commission	Specialist	56
Organ and Tissue Authority	Specialist	29
Professional Services Review	Regulatory	31
Sport Integrity Australia	Regulatory	364
Home Affairs	Larger Operational	14290
National Emergency Management Agency	Policy	320
Industry, Science and Resources	Policy	2974
Geoscience Australia	Specialist	637
IP AUSTRALIA	Larger Operational	1171
National Offshore Petroleum Safety And Environmental Management Authority	Regulatory	148
Infrastructure, Transport, Regional Development, Communications and the Arts	Policy	1963
Australian Communications and Media Authority	Regulatory	516
Australian National Maritime Museum	Specialist	106
Australian Transport Safety Bureau	Specialist	109

PROTECTED: Cabinet

National Archives of Australia	Specialist	378
National Capital Authority	Specialist	61
National Faster Rail Agency	Specialist	9
National Film and Sound Archive of Australia	Specialist	180
National Library of Australia	Specialist	383
National Museum of Australia	Specialist	293
National Portrait Gallery of Australia	Specialist	53
Old Parliament House	Specialist	100
Screen Australia	Specialist	4
Prime Minister and Cabinet	Policy	1241
Aboriginal Hostels Limited	Smaller Operational	475
Australian Institute of Aboriginal and Torres Strait Islander Studies	Specialist	134
Australian National Audit Office	Specialist	391
Australian Public Service Commission	Policy	380
National Indigenous Australians Agency	Policy	1442
Office of National Intelligence	Specialist	303
Torres Strait Regional Authority	Specialist	132
Workplace Gender Equality Agency	Specialist	39
Social Services	Policy	2860
Australian Institute of Family Studies	Specialist	95
National Disability Insurance Agency	Larger Operational	5269
NDIS Quality and Safeguards Commission	Regulatory	430
Services Australia	Larger Operational	31812
Treasury	Policy	1608
Australian Bureau of Statistics	Specialist	3125
Australian Competition and Consumer Commission	Regulatory	1471
Australian Office Of Financial Management	Specialist	40
Australian Taxation Office	Larger Operational	19727
Commonwealth Grants Commission	Specialist	39
Inspector-General of Taxation	Specialist	27
Productivity Commission	Specialist	173
Royal Australian Mint	Specialist	244
Veterans' Affairs	Larger Operational	2797
Australian War Memorial	Specialist	320
All		161645

*Source: APS Employment Database (APSED): As at 31 December 2022

5 ABOUT THE MERIT PROTECTION COMMISSIONER

The Merit Protection Commissioner is a statutory officer established under Part 6 of the *Public Service Act 1999*. The position holder is also the Parliamentary Service Merit Protection Commissioner established under Part 6 of the *Parliamentary Service Act 1999*. Ms Kirsteen Banwell and Mr Mark Davidson have been acting as MPC since November 2022 on a rolling shared basis.

The functions of the MPC relate to the implementation of, and compliance with, the relevant employment frameworks and principles of the public and parliamentary service, as well as the operation of the broader integrity framework. The MPC does this work principally through independent review of employment related action and decisions raised by Australian Public Service and Parliamentary Service employees. The MPC can also receive complaints relating to specific matters, has a range of inquiry and investigation powers. The MPC also has the statutory function of conducting Independent Selection Advisory Committees and provides independent selection committee members, both on a cost recovery basis. The MPC can also provide review and recruitment services on a cost recovery basis to non APS or Parliamentary Services agencies.

Section 49(2) of the *Public Service Act 1999* requires that the staff necessary to assist the MPC must be persons engaged under the *Public Service Act 1999* and be made available by the Australian Public Service Commissioner. The MPC does not have separate appropriation so it is a matter for the Public Service Commissioner to determine the budget allocation to the MPC after consultation with the MPC. The Australian Public Service Commission (APSC) provides all corporate services and office accommodation to the MPC, in addition to the staff provided to assist the MPC in performing their statutory functions.

In 2021-22, the MPC's annual budget (excluding corporate costs) is currently \$2.131 million and an average staffing level of 11.5. The MPC and the Australian Public Service Commissioner have a memorandum of understanding for the provision of staff and corporate services. The current memorandum of understanding was reviewed and updated in February 2022.

The roles of the APS Commissioner and the MPC are independent from each other so as to separate standard-setting from the review function. The MPC provides an assurance-type role through the review of individual actions or decisions for consistency and compliance with the standards set by the APS Commissioner, and can provide feedback to assist the review of existing standards or the development of new standards.

The MPC is categorised as separate entity from the APSC for the purposes of the *Privacy Act 1988* and the *Freedom of Information Act 1982*. Information collected by the MPC in the discharge of information is protected under the legislation (*Public Service Act 1999* and *Parliamentary Service Act 1999*) and much of it is personal information under the Privacy Act. As such, it cannot be shared with the Public Service Commissioner or non-MPC APSC staff, nor any other person or entity, unless explicitly disseminated by the MPC under one of the available legislated provisions.

The MPC will brief you separately on their work.