

**APS response to Robodebt Royal Commission****Subject/Issue**

The Government has made significant progress on reforms to restore trust and accountability in public administration following Robodebt.

An independent centralised inquiry mechanism established in the Australian Public Service Commission to determine APS Code of Conduct breaches published its report on 13 September 2024.

**Key facts and figures**

- Significant progress has been made to implement the 56 recommendations of the Robodebt Royal Commission and rebuild integrity and trust in government.
  - 47 recommendations have now been implemented.
  - Work on the remaining nine (9) recommendations is ongoing, with four requiring legislation.
- The Australian Public Service Commission released the Centralised Code of Conduct Inquiry Taskforce Final Report into the Robodebt Scheme on 13 September 2024.
- The Australian Public Service Commissioner, Dr Gordon de Brouwer, has apologised to the Australian public for the role the public service played in the design and delivery of the Robodebt Scheme.

**Key points**

- The Royal Commission made findings in a confidential chapter of the report in relation to individuals involved in the Robodebt Scheme. The relevant chapter is subject to a Direction Not to Publish. This chapter was provided to appropriate authorities, including relevant Agency Heads, the APS Commissioner, and professional and disciplinary bodies to consider relevant investigations and potential sanctions.
  - The *Public Service Act 1999* empowers the APS Commissioner to conduct inquiries into alleged breaches of the APS Code of Conduct under Section 41(2)(m) and s41(2)(n).

- The APS Commissioner received 16 referrals for further inquiry under his statutory inquiry powers.
- A centralised inquiry mechanism was established, following endorsement by Secretaries Board, to inquire into alleged breaches of the Code of Conduct arising from the Royal Commission. It was designed to be fair, independent, and consistent.
  - The Centralised Code of Conduct Inquiry Taskforce conducted inquiries in line with established processes, including the APS Commissioner's procedures, which are available on the APSC website.
  - The Centralised Code of Conduct Inquiry Taskforce Report and accompanying Statement of the APS Commissioner were published on 13 September 2024.
- The APS Commissioner received 16 referrals to the Centralised Code of Conduct Inquiry Taskforce, consisting of:
  - current APS employees named in the sealed section of the Royal Commission's Final Report;
  - former APS employees referred by their most recent Agency Head; and
  - former Agency Heads referred by the Minister for the Public Service following advice from the Secretary of the Department of the Prime Minister and Cabinet.
- The Inquiry found that 2 former Secretaries of the Department of Human Services breached the Code of Conduct on 25 occasions.
- 10 current and former public servants breached the Code on 72 occasions.
- The breaches include lack of care and diligence, lack of integrity in performing duties, and instances of misleading others and failing to uphold the APS Values.
- Of the 16, 4 individuals were found not to be in breach or their actions did not meet the necessary threshold at certain stages of the process.
- A number of respondents who were found to have breached the APS Code of Conduct resigned or retired from APS employment prior to, or during, these inquiries.

- Sanctions were recommended for 5 current public servants, including reprimands, fines and demotions.
  - One of the individuals left the public service before the sanction could be imposed.
- The APS is working hard to better deliver for all Australians, rebuild trust and integrity and put people first.
- The APS Commissioner has apologised to the Australian public for the role the APS played in the design and delivery of the Scheme.
- It is not appropriate to discuss awards and honours of relevant individuals while they may still be subject to further decision-making in respect of other legal or investigation processes (noting the independent review of the NACC's original decision not to investigate is still subject to review).

*If asked why implementation of nine recommendations is still outstanding*

- Implementing the Royal Commission recommendations remains a priority for the Government and substantial progress has been made.
- For recommendations where work is ongoing, the Government is consulting with stakeholders to ensure that we get the solutions right. For others, further legislative changes are required.

*If asked about Knox class action **OR** cause of action from malfeasance in public office*

- On 4 September 2025 the Government reached an agreement to settle the *Knox v The Commonwealth* class action, which was an appeal from the original class action settlement in *Prygodecz v The Commonwealth*.
- The settlement of the appeal, which is still subject to approval by the Federal Court, would see the Commonwealth pay \$475 million as compensation for the harms caused to eligible group members by the Robodebt Scheme.
- The settlement would be in addition to the compensation paid following the original Robodebt class action settlement in late 2020, which comprised interest and repayments of wrongfully raised debts.
- As the matter is still before the court is not appropriate to comment further.

*Further questions about the implementation of recommendations in the Royal Commission into the Robodebt Scheme Report should be directed to relevant lead Government agencies: Services Australia, the Department of Social Services, the Attorney-General's Department, and the Office of the Commonwealth Ombudsman.*

*Questions about the confidential chapter of the Robodebt Royal Commission's final report (i.e. the sealed section) should be directed to the Attorney-General's Department.*

*Questions about Australian honours and awards related to individual public servants, including decisions relating to the removal of Order of Australia and Public Service Medals, should be directed to the Office of the Official Secretary to the Governor-General.*

## Background

On 7 July 2023, the final report from the Royal Commission into the Robodebt Scheme was provided to the Government. The Report was tabled in Parliament and publicly released that same day.

On 13 November 2023, the Government provided its formal response to the Royal Commission report, accepting (49) or accepting in principle (7) all 56 recommendations.

On 13 September the Australian Public Service Commission released a final report on the outcomes from its inquiries into alleged breaches of the Code of Conduct by 16 current and former agency heads and public servants.

On 7 November 2024, the Government published an update on implementation of Robodebt royal commission reforms, announcing that 28 recommendations had been fully implemented.

As part of the response, the APSC has delivered and continues to progress work within its existing funding, and partnering with other relevant APS agencies to:

- build the capability and performance of the APS through whole-of service induction training through the APS Academy;
- strengthen the Australian Public Service Commissioner's own-motion and referred inquiry powers in the *Public Service Act 1999*; and
- develop additional standards guidance, including under the new APS Value of Stewardship for documenting important decisions and discussions, and deliver training on those standards.

The response aligns with the Government's commitment to put people back at the centre of the work of government and invest in better services for the Australian community.

### APS Reform

The Government is continuing to implement a reform agenda to ensure, as the first of four priorities, that the APS embodies integrity in everything it does.

Included in the strategic and transformational agenda are measures to strengthen integrity at the Secretary and agency head level, including own motion powers for the APS Commissioner to initiate inquiries into Code of Conduct breaches by current and former agency heads, including Secretaries – this is a specific recommendation of the Royal Commission report.

### Centralised Code of Conduct Inquiry Mechanism

The Royal Commission's report made various findings about the conduct, roles and responsibilities of individual public servants involved in the Robodebt Scheme. The APSC separately oversaw an independent centralised inquiry mechanism to inquire into alleged breaches of the Code of Conduct by APS employees, former APS employees and Agency Heads arising from the Royal Commission. This process was established under the APS

Commissioner's powers in the *Public Service Act 1999*. It was designed to be fair, independent, and consistent.

The mechanism was funded through an estimates variation of \$3.8 million in 2023-24 for the APSC to reflect the significant additional demand placed on this function of the APS Commissioner.

To maintain the robustness and consistency of this centralised mechanism, the APS Commissioner engaged two reviewers and delegated his powers to conduct inquiries and make determinations.

Mr Stephen Sedgwick AO, a former Public Service Commissioner, was appointed as an independent reviewer to make inquiries into possible breaches of the APS Code of Conduct by current and former APS employees.

Ms Penny Shakespeare, Deputy Secretary at the Department of Health and Aged Care, was appointed as a supplementary reviewer to make inquiries into the conduct of former Agency Heads.

Two Independent Sanctions Advisers, Ms Cheryl-anne Moy and Ms Elizabeth Kelly PSM, were appointed to make recommendations to the relevant Agency Head, if current APS employees were found to have breached the APS Code of Conduct.

As the inquiries progressed, some former Agency Heads submitted that they could not be investigated in the absence of an express legislative provision in the Public Service Act. On 13 August 2024 the Government announced its intention to amend the Public Service Act to clarify by way of express provisions that the conduct of former Agency Heads can be investigated by the Australian Public Service Commissioner.

On 26 August 2024, the amendments to the Public Service Act received Royal Assent and inquiries into the conduct of former Agency Heads involved in the Robodebt Scheme were finalised.

#### Robodebt Royal Commission Confidential Chapter

On 7 November 2024 the Attorney-General, the Hon Mark Dreyfus KC MP announced that in the interests of transparency the Government proposes to publish the confidential chapter (the 'Sealed Section') of the Robodebt Royal Commission report at the first appropriate opportunity. The Government would do so on advice from the National Anti-Corruption Commission, pending its further decision-making.

## National Anti-Corruption Commission referrals

In June 2024, the NACC announced that it would not pursue the six referrals it received from the Royal Commission into Robodebt.

The NACC Inspector subsequently considered the NACC's original decision not to pursue the referrals. The Inspector released its findings on 30 October 2024, including a recommendation that referrals are reconsidered by an appropriate person.

The NACC has accepted the NACC Inspector's recommendation and has announced its decision to have an independent eminent person reconsider its original decision not to investigate the Robodebt Royal Commission referrals.

Mr Geoffrey Nettle AC KC was appointed on 13 December 2024 to independently assess the referrals.

It is not appropriate to comment further.

## **Supporting information**

### **Questions on Notice**

- Ref Q0064 - SQ24-000221: Centralised Code of Conduct Inquiry Taskforce Final Report - recommendation 23.8

### **Freedom of Information (FOI) Requests**

- APSC FOI request LEX1077, briefing pack prepared for the APS Commission for 2024-25 Budget Estimates hearings. Response submitted on 30 September 2024.
- APSC FOI request LEX 608 for all documents and correspondence relating to the establishment of the centralised inquiry mechanism. Response provided on 29 August 2023 to practically refuse to process request, as the request was a substantial and unreasonable diversion of resources.
- APSC FOI request LEX 607, for documents relating to referrals of individuals to the centralised inquiry mechanism. Response provided on 4 September 2023 neither confirming nor denying the existence of such documents.
- APSC FOI request LEX 521, for documents related to discussions at March 2023 Secretaries Board about the Robodebt Royal Commission. Response provided on 27 April 2023, releasing 4 documents.

### **Recent Ministerial Comments**

- [Media release by the Hon Michelle Rowland MP, Attorney-General](#) on 4 September 2025 "Robodebt Class Action Appeal Settlement".

### **Relevant Media Reporting**

- There has been extensive media reporting on the Royal Commission, from its commencement in August 2022, during the hearings from September 2022 to March 2023, to the release of the report on 7 July 2023, and the establishment of the centralised inquiry mechanism on 7 July 2023.

- [Robodebt victims to get further \\$475 million compensation after class action settled](#), Samantha Dick, ABC News, 4 September 2025

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## APS Integrity

**Subject/Issue**

The Government is committed to building an Australian Public Service that embodies integrity in everything it does.

**Key facts and figures**

- As part of the Government’s APS Reform Agenda, the Australian Public Service Commission continues to partner with APS agencies to deliver practical initiatives that build and support a pro-integrity culture across the APS.
- In April 2024, the Commission finalised the *APSC Integrity Roadmap* bringing together a high-volume of integrity reform initiatives for delivery arising from the:
  - *Louder Than Words: An APS Integrity Action Plan*
  - Government response to the Royal Commission into the Robodebt Scheme, and
  - APS integrity reform package.
- On 21 June 2024, the Australian National Audit Office tabled in Parliament its performance audit report into the Commission’s administration of its integrity and ethics functions, including four recommendations for the Commission.
- On 19 June 2024, the Joint Committee on Public Accounts and Audit reported on its inquiry into probity and ethics in the Australian public sector including 11 recommendations, three of which relate to the Commission.
  - On 20 December 2024 the Commission submitted its response to this report, agreeing in principle with all three recommendations.

## Key points

### APSC's functions to promote and uphold Integrity

- The APS Commissioner's statutory functions under the *Public Service Act 1999* Framework include the promotion of high standards of accountability, effectiveness, performance, integrity and conduct in the APS.
- The Commission does this through a broad range of programs, services and functions, including:
  - A suite of Integrity training courses delivered through the APS Academy,
  - Guidance and resources for agencies and APS employees to support public servants to embody and model integrity,
  - Matter-specific advice to agencies, leaders and individual APS employees to support ethical decision making through the Ethics Advisory Service and Employment Policy Advisory Service,
  - Exercising legislative powers to inquire into the conduct of Agency Heads, and APS employees or former employees, where referred,
  - Participating in and/or leading communities of practice to share information and resources and to build integrity capability across the service,
  - Strengthening integrity in recruitment practices through the provision of rules, guidance and advice on the application of the APS Employment Principles and the provision of a Commissioner's representative on SES selection panels,
  - The provision of induction and educational materials to ensure incoming Secretaries and Agency Heads are aware of their personal integrity obligations, and
  - Undertaking inquiries into alleged breaches of the Code of Conduct by current and former Agency Heads, and where requested by the Agency Head, current and former APS employees.

### ANAO audit and JCPAA report

- The Australian National Audit Office looked into the administration of the Commission's statutory integrity and ethics functions, as part of its 2023-24 performance audit work program.
- The final report found the Commission was partly effective in the implementation of its statutory integrity functions, being largely activity-

driven and needing relevant strategies, linked to measurable outcomes, to guide its efforts.

- The Commission is now delivering on agreed recommendations from the Australian National Audit Office on the promotion, evaluation and assurance of its statutory obligations through implementation of the Strengthening Integrity in the APS Strategy.
- This work program to strengthen the administration of the APS employment and integrity frameworks also addresses Recommendation 6 of the Joint Committee on Public Accounts and Audit's Report 502 (The never-ending quest for the golden thread).

### Integrity Reform

- The Government's APS Reform agenda includes a focus on building an APS that embodies integrity in everything it does.
- The Commission partners closely with key APS agencies including the Department of the Prime Minister and Cabinet, the Attorney-General's Department and the Department of Finance to deliver a range of integrity reform initiatives so that:
  - Public sector employees act with and champion integrity, and
  - Public service employees are stewards of the public service.
- Initiatives underway or completed across the APS and the broader public sector include:
  - legislative amendments to the *Public Service Act 1999* and reform of accompanying policy frameworks,
  - the development of a Commonwealth Integrity Strategy,
  - whistleblower protection reforms,
  - fraud and corruption prevention measures,
  - strengthening integrity in procurement and contract management through a Supplier Code of Conduct, and
  - establishment of the Independent Parliamentary Standards Commission.

*Further information about the progress of APS Reform is contained in SB25-000115.*

APSC Inquiries

- In accordance with the Public Service Act, the Commission undertakes inquiries into alleged breaches of the Code of Conduct by current and former APS employees, and current and former Agency Heads.
- Consistent with the Commission's statutory information protection obligations, the Commission does not comment on individual Code of Conduct processes.
- Such commentary may lead to speculation about individuals, inadvertently undermine the integrity of the process, and adversely affect the wellbeing of individuals.
- This position is consistent with broader APS practice, which is to not publicly comment on conduct investigations, as they are confidential and sensitive in nature.
- Limited information about investigations being undertaken by the Commission is only provided in exceptional circumstances where the APS Commissioner is satisfied that it is in the public interest to do so, and any disclosure of personal information is fair and reasonable in all the circumstances.
- The *Public Service Amendment (No. 2) Act 2024* came into effect on 27 August 2024, and clarifies the APS Commissioner's power to inquire into, and make determinations about, alleged breaches of the APS Code of Conduct by former Agency Heads.

## Background

The Commission plays a central role in strengthening a pro-integrity culture for the APS.

### Integrity Reform – Stage 2

*Background on the progress of APS Reform is contained in SB25-000115.*

The second stage of APS Reform includes a range of initiatives to further bolster the integrity of the APS. This builds on the first stage of Reform and focuses on initiatives that will strengthen appointments and performance of senior APS executives, strengthen the powers of the APS Commissioner, extend the APS Values to other government entities, and further build pro-integrity culture and capability.

A 5-week public consultation process was conducted to help design and scope the Stage 2 APS Reform initiatives, involving the publication of an issues paper on the APS Reform website. A total of 82 submissions were received, from individuals, academic institutions and think tanks, organisations, employee representative bodies and across the public sector. Submissions were generally supportive of the initiatives

### JCPAA

The Joint Committee on Public Accounts and Audit conducted an inquiry into probity and ethics in the Australian public sector between June 2023 and June 2024. The inquiry examined, in respect of five recent Auditor-General performance audit reports, whether there are systemic factors contributing to poor ethical behaviour in government agencies, and if there are opportunities to strengthen government integrity and accountability.

*Report 502: The never-ending quest for the golden thread* was published on 19 June 2024 and made 11 recommendations that key regulatory and policy agencies including the Commission and the Department of Finance, strengthen ethical leadership in the public sector through focusing on interrelated systemic measures in respect of Frameworks, Culture and Accountability.

Three recommendations are directed to the Commission's functions, which go to: further questions in the APS Employee Census on their perceptions of integrity in procurement, grants, regulatory actions; clearer guidance on the definition of culture, and metrics on building, measuring and assessing organisational culture as it applies to probity; and the Department of Finance and the Commission each developing an approach, including robust metrics, to provide reasonable assurance that the policy frameworks they administer are effective.

The Commission agreed in principle or with qualifications to three recommendations, and indicated in its response on 20 December 2024 the strategies and activities it was in the process of developing, with indicative timeframes in 2025.

Other recommendations were made exclusively to the Department of Finance, Department of Health and Aged Care and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

## ANAO Performance Audit

The Australian National Audit Office conducted an audit into the administration of the Commission's statutory integrity and ethics functions, between August 2023 and April 2024.

The audit criteria examined the Commission's effectiveness, during the period July 2022 to December 2023 in promoting the APS Values and Code of Conduct, monitoring and evaluating agencies' implementation of the APS Values and Code of Conduct, and contribution to the stewardship of the APS.

The Commission cooperated fully with the ANAO during the audit process, and agreed with all four recommendations.

## **Supporting information**

### **Questions on Notice**

- Q0073 - SQ24-000225 – ANAO report into the APSC's Administration of Integrity Functions
- Q0071 - SQ24-000231 - Auditor General Report No. 43 of 2023-24 - APS Code of Conduct investigations
- Q0070 - SQ24-000230 - Auditor-General Report No 43 of 2023-24 - Stewardship
- Q0069 - SQ24-000229 - Auditor General Report No. 43 of 2023-24 - APS Values and Code of Conduct
- Q0068 - SQ24-000228 - Auditor General Report No. 43 of 2023-24 – forward engagement strategy
- Q0067 - SQ24-000227 - Auditor General Report No. 43 of 2023-24 – measurable outcomes
- Q0066 - SQ24-000226 - Auditor General Report No. 43 of 2023-24 – integrity functions

### **Freedom of Information (FOI) Requests**

- FOI request (LEX 1172) - Keynote address 'Women in Leadership summit' 29 August 2024 - *The vital Importance of integrity for leaders in the public sector.* Response submitted 4 October 2024, and published on disclosure log.
- FOI request (LEX1077) - Briefing pack prepared for the APS Commission for 2024-25 Budget Estimates hearings. Response submitted on 30 September 2024; and published on disclosure log.

### **Recent Ministerial Comments**

- [Media release by Senator the Hon Katy Gallagher](#) on 13 August 2024 "Taking action to ensure Robodebt accountability"

**Relevant Media Reporting**

- [Commission's lack of imagination and ambition about fixing the APS](#) Paddy Gourley, The Canberra Times, 19 November 2024
- [ANAO audit reports show extent of APS integrity problems](#), Andrew Podger, The Mandarin, 31 July 2024
- [Shadow values that corrode trust, probity and ethics](#), Verona Burgess, The Mandarin, 19 July 2024
- [Mandarins told to end self-congratulation for bungled projects](#), Melissa Coade, the Mandarin, 28 June 2024
- [APSC didn't have a written integrity plan in 2024](#), Dan Homes, The Mandarin, 25 June 2024
- [Public Service Commission's integrity measures slammed in audit](#), Brittney Levinson, The Canberra Times, 22 June 2024

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**PDR Number:** SB25-000104

**APS Values and MoP(S) Act employees****Subject/Issue**

The Australian Public Service Commission, in consultation with the Department of the Prime Minister and Cabinet, the Department of Finance, and key stakeholders in the APS, has issued directions and guidance about the behavioural codes, standards and disciplinary frameworks which apply to APS employees working in parliamentary workplaces.

**Key facts and figures**

- The *Australian Public Service Commissioner's Directions 2022* provide a mechanism to facilitate the mobility of APS employees to take leave without pay and be separately employed under the *Members of Parliament (Staff) Act 1984* to work in ministerial and other parliamentarians' offices.
- The Directions were amended on 21 February 2025 to provide that the *Impartial and Committed to Service* APS Values do not apply to APS employees who are on leave without pay and employed under the MOP(S) Act, for the duration of that engagement.
- All other APS Values must still be upheld and are enforceable through the APS Code. These expectations are consistent with integrity behaviour expectations of all public sector officials, including in the parliamentary workplace.
- Departmental Liaison Officers must comply with all elements of the APS Code and all APS Values as they perform their roles as APS employees.
- All MOP(S) Act employees must perform their duties in accordance with their obligations under the MOP(S) Act framework.
- On 3 March 2025 the Commission published supporting guidance: *APS employees working in a parliamentarian's office – Guidance on applicable codes, standards and disciplinary frameworks*.
- The *MOP(S) Act (Employment Arrangements) Determination 2025* specifies that the minimum period of engagement for an APS employee on leave without pay to take up MOP(S) Act employment is four weeks. For periods of less than four weeks, a parliamentarian will need to use an existing MOP(S) Act employee to fill the vacancy as a temporary transfer.
- On 14 May 2025, the Commission, the Department of the Prime Minister and Cabinet, and the Department of Finance published joint guidance on

*Temporary transition surge support for establishing Ministerial offices.* The guidance makes clear that where APS employees undertake temporary support roles in a ministerial office (i.e., where they are 'loaned' for temporary support without being engaged under the MOP(S) Act) they must comply with their ordinary obligations under the APS Values and Code, and that this is likely to affect the types of work they can perform.

### Key points

- The Directions amendments ensure clarity for both the APS employees taking up separate employment under the MOP(S) Act to perform these roles and for their employers in directing their duties and tasks, and aligns with public expectations in regards to the broader integrity obligations of all public officials.
- These changes ensure mobility and trusted relationships between the APS, the Government and the Parliament, set expectations that are reasonable and realistic and maintain confidence in the integrity of the public sector.

### Supporting Guidance

- In support of the Directions amendment, the Commission published guidance for APS employees who work for a parliamentarian under the MOP(S) Act, and their home agencies.
- This guidance clarifies the conduct obligations of all APS employees in relation to the *Public Service Act 1999*, and the behavioural codes, standards and disciplinary frameworks that apply to them while they are working in a parliamentarian's office.

## Background

The question of whether the APS Code of Conduct, and the APS Values through s13(11), applies to APS employees working as advisers in Ministers' offices, and how the Behavioural Codes might interact with residual APS Code obligations, has previously been raised with the Commission at Senate Estimates on several occasions.

Specifically, Senator Linda Reynolds (LP) has previously asked the Commission:

- whether the APS Code of Conduct, and the APS Values through s13(11) of the Code, applies to APS employees working as advisers in Ministers' offices (SQ22-000023)
- how agencies undertake Code investigations in respect of APS employees in relation to alleged misconduct on their return from Minister's offices (SQ22-000024)
- how the new Parliamentary Behaviour Codes might interact with residual APS Code obligations (SQ23-000004)
- what information is available to staff in Minister's offices about the behavioural Codes and standards that apply to them (SQ24-000211) and
- how details of a particular matter came to be disclosed in Parliament (SQ24-000212).

In response to Senator Reynolds's questions, the Commission has engaged with Finance and the PWSS on proposed guidance material to help clarify APS employees' obligations in these circumstances.

Feedback from Finance and the PWSS on an early draft developed in 2023 indicated that the issues are highly complex and required further policy consideration.

Progress on the guidance was then paused while the legislation for the Independent Parliamentary Standards Commission was developed by PM&C and its jurisdiction and information sharing powers were settled.

The amendments to the Directions and guidance were finalised as efficiently as possible following the establishment of the Independent Parliamentary Standards Commission on 1 October 2024.

## Supporting information

### Questions on Notice

- SQ24-000211 (Q0032). Relates to the information available to APS employees granted leave to undertake roles as Ministerial advisers about which behavioural standards would apply to conduct during the performance of those roles. Supplementary Budget Estimates 2024-25. Response provided 18 December 2024.
- SQ24-000212 (Q0033). Relates to the APS Code of Conduct matter involving former staff of Senator Reynolds and how details of that matter came to be in the possession of other members of parliament and discussed under parliamentary privilege. Supplementary Budget Estimates 2024-25. Response provided 12 December 2024.
- SQ24-000095 (Q0064). Relates to the management of conflicts of interest under the APS Code of Conduct, guidance provided by the Commission to APS employees about conflicts of interest, and the applicable behavioural standards for

Parliamentary Services employees. Senator Hume, Budget Estimates 2024-25. Response provided 15 July 2024.

- SQ23-000004 (Q0086). Relates to the guidance that may need to be provided to APS employees granted leave to undertake roles as Ministerial advisers about which behavioural standards would apply to conduct during the performance of those roles. Supplementary Budget Estimates 2022-23. Response tabled 30 March 2023.
- SQ22-000023 (Q0063) and SQ22-000024 (Q0064). These questions sought an explanation and assurance of the procedures, including procedural fairness measures, applied by agencies during APS Code of Conduct investigations and decision-making processes. Asked in the context of the potential application of the APS Code of Conduct to APS employees on their return to home agencies from roles as Ministers' advisers. Budget Estimates 2021-22. Responses provided 15 December 2022.

#### Freedom of Information (FOI) Requests

- No FOIs asked.

#### Recent Ministerial Comments

- Nil.

#### Relevant Media Reporting

- [Handshakes mark parliamentary standards commission laws](#), Tom Ravlic, The Mandarin, 17 September 2024.
- [Labor accused of watering down parliamentary watchdog so it 'doesn't pass the pub test'](#), Sarah Basford Canales, The Guardian, 10 September 2024.
- [Law looms to subject parliamentarians, MOPS to behaviour codes](#), Melissa Coade, The Mandarin, 21 August 2024.

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PDR Number: SB25-000112

**APS-wide & Non-APS Bargaining****Subject/Issue**

APS agencies concluded bargaining for pay and conditions in November 2023. Non-APS agencies have bargained as their arrangements fall due, with most now having arrangements in place.

**Key facts and figures****APS-Wide Bargaining**

- Bargaining concluded on 30 November 2023, delivering an 11.2 per cent pay increase and a package of 59 common conditions included in all APS enterprise agreements.
- All 103 APS agreement ballots were successful. Over 170,000 APS employees voted on an agreement, with an average support rate of 96 per cent across the service.
- The agreed outcome provided the following pay increases:
  - 14 March 2024: 4 per cent
  - 13 March 2025: 3.8 per cent
  - 12 March 2026: 3.4 per cent
- APS agreements will nominally expire in February 2027.
- APS employees have in-term agreements and there are no APS bargaining processes currently under way.
- Decisions about future bargaining processes will be made in due course.

**Non-APS Bargaining**

- 49 non-APS agencies have had arrangements agreed by staff.
- As at 8 September 2025, 2 non-APS enterprise agreements covered under the Policy are under negotiation:
  - Indian Oceans Territories Administration, and
  - Indian Oceans Territories Registered Nurses.

## Background

The *Public Sector Workplace Relations Policy 2023* was released in March 2023. The Policy contains separate arrangements for APS and non-APS agencies.

APS agencies employ staff under the *Public Service Act 1999*. Non-APS agencies employ staff under enabling legislation other than the *Public Service Act 1999*.

### 2023 APS service-wide bargaining

Between 1997 and 2023, Commonwealth agencies bargained enterprise agreements as individual enterprises, subject to provisions of the government's policy of the day. Over time, this resulted in increasing gaps in remuneration and differences in conditions between agencies.

In 2022, the Government identified that addressing the discrepancies in remuneration and conditions of employment between agencies was key for re-establishing the Commonwealth as an employer of choice.

Service-wide bargaining for common conditions was led by the APSC, with agencies retaining the ability to bargain on matters necessary to support their specific operating model.

Broad support between bargaining parties was reached in November 2023. The *Statement of Common Conditions* was released on 30 November 2023 and provided 59 APS-wide common conditions.

### Bargaining to replace APS agreements

APS enterprise agreements contain a common nominal expiry date of 28 February 2027.

The Community and Public Sector Union has started to consult with APS employees to formulate its claim for a second round of bargaining.

No decisions have been made by government about bargaining to replace APS agreements.

### Non-APS bargaining

Under the Policy, non-APS agencies are encouraged to bargain with employees to replace enterprise agreements that have passed their nominal expiry dates. Agencies are permitted to make remuneration and conditions adjustments to ensure enterprise agreements meet the needs of the agency and employees.

Non-APS bargaining parameters were released by the APSC on 31 October 2023 outlining Government expectations on remuneration and conditions adjustments. Wage offers in the non-APS have been informed by the Government's APS pay offer. Non-APS agencies may adopt APS common conditions if they meet their operational needs.

Government Business Enterprises, Public Non-financial Corporations, Public Financial Corporations, the Australian National University, the Australian Broadcasting Corporation and the Special Broadcasting Service are encouraged to apply the Policy, taking into account the commercial nature of their operations.

## Supporting information

### Questions on Notice

- No QoNs asked.

### Freedom of Information (FOI) Requests

- Various FOI requests were received during service-wide bargaining, and in relation to bargaining for the AFP enterprise agreement.
- There are no outstanding FOI requests of note.

### Recent Ministerial Comments

- Nil.

### Relevant Media Reporting

- Nil.

**Date Cleared:** 8 September 2025  
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**Group/Branch:** Workplace Relations  
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**Telephone No:** S 22  
**Consultation:** Nil  
**PDR Number:** SB25-000114

## Progress of APS Reform

### Subject/Issue

The APS is delivering the Government's plan to strengthen the APS through public sector reform.

### Key facts and figures

- In October 2022, the APS Reform Program commenced, comprising 44 initiatives to further strengthen the public service. The Government allocated \$72.9 million in funding over three years, including:
  - \$40.8 million over three years to deliver immediate benefits for the public sector and broader Australian public,
  - \$25 million over two years to establish an APS Capability Reinvestment Fund, and
  - \$7.1 million over two years, reprioritised from existing resources, to establish the APS Net Zero Unit in the Department of Finance.
- In November 2023, a second stage of APS Reform commenced with 15 new initiatives. The Government allocated funding in the 2023-24 Budget over two years including:
  - \$8.4 million from the Contingency Reserve to build capability under the first round of the Capability Reinvestment Fund,
  - \$10.9 million to establish an in-house consulting function, and
  - \$3.4 million to boost First Nations employment in the APS.
- In 2024, there were two sets of changes to the Public Service Act 1999:
  - On 26 August 2024, the *Public Service Amendment (No.2) Act 2024* received Royal Assent and commenced the following day
  - On 11 December 2024, changes made by the Public Service Amendment Act 2024 commenced. Refer SB25-000108.
- In December 2024, the second Annual Progress Report for APS Reform was released highlighting completion of 22 (38%) of 59 APS Reform Initiatives, with a further 37 (62%) initiatives underway. Table 1 refers.
  - Indicative reporting as at 30 July 2025, shows 51 of 59 (87%) of initiatives are in delivery or complete. Table 1 refers.

	On hold	Design	Planning	Delivery	Complete	Total
Dec 2024	1 (1%)	8 (14%)	8 (14%)	20 (34%)	22 (38%)	59
June 2025	1 (1%)	3 (5%)	4 (7%)	14 (24%)	37 (63%)	59

Table 1: Summary of initiatives by stage of project lifecycle as at December 2024 and indicative data from June 2025.

- Overall results from the 2025 APS Employee Census are positive and align with the intended impacts of APS Reform efforts.

### Key points

*Achievements under Pillar 1: an APS that embodies integrity in everything it does*

- Adding the new APS value of Stewardship reflecting the important role that all APS employees play in ensuring that the APS serves the Government, the Parliament, and the Australian community, now and into the future
- Establishment of the National Anti-Corruption Commission in July 2023, deterring, detecting and preventing corrupt conduct involving Commonwealth public officials.
- A new Commonwealth Fraud and Corruption Control Framework came into effect on 1 July 2024 to take all reasonable measures to prevent, detect and deal with corruption in addition to fraud.

*Achievements under Pillar 2: an APS that puts people and business at the centre of policy and services*

- The Government launched the First Nations Partnership Playbook and the Charter of Partnerships and Engagement, setting out principles for the APS to genuinely partner and engage with people, communities and non-government sectors to inform policy and program development.
- The Government released the final Data and Digital Government Strategy setting a vision for delivering simple, secure and connected public services through world class data and digital capabilities.

*Achievements under Pillar 3: an APS that is a model employer*

- Over 100 APS agencies participated in service-wide bargaining and have incorporated 59 common conditions into their enterprise agreements.
- The 2024 APS Employee Census results highlighted 82% of staff are satisfied with non-monetary employment conditions, an increase of 8% from 2023 Census results.

*Achievements under Pillar 4: an APS that has the capability to do its job well*

- All departments of state and Services Australia, the ATO and the APSC are required to participate in a capability review every five years, with 9 reviews complete and 2 underway.
- Australian Government Consulting has completed at least 15 core strategic consulting projects.
- The Capability Reinvestment Fund has funded 19 innovative capability building projects.

## Background

APS Reform is based on four pillars, to create an APS that: (1) embodies integrity in everything it does; (2) puts people and business at the centre of policy and services; (3) is a model employer; and (4) has the capability to do its job well.

The 59 initiatives are led by 9 agencies and departments across the APS. Once each initiative reaches completion of their project management lifecycle, there is a transition of accountabilities for all agencies to adopt and embed these changes, collectively contributing to delivering the outcomes under the 4 pillars.

The APS Reform agenda draws on a broad set of source material, including the 2019 Independent Review of the APS (the 'Thodey Review'); the Government's election commitments; lessons learned from the COVID-19 pandemic; past reform activities undertaken across the APS; elements of the National Agreement on Closing the Gap; and international experience of public sector reform, including in the UK and New Zealand.

Amendments to the Public Service Act were introduced in 2024 to lock in changes that will strengthen the integrity, build the capability and expertise of the APS, and support good governance, accountability and transparency. Refer to SB25-000108 for details of the changes.

The APS Census has shown significant improvements compared to 2024 across a range of areas that APS Reform has committed to strengthening such as integrity, capability and being a model employer. Refer to MS25-000056 for further details.

## Supporting information

### Questions on Notice

No QoNs asked

### Freedom of Information (FOI) Requests

No FOIs asked. Specific initiatives within the reform program may have been subject to additional FOI requests that are not reflected within this brief.

### Recent Ministerial Comments

- On 25 August 2025, the Hon Patrick Gorman delivered a speech to the AI Group, referencing work supporting pillar 2 of the APS Reform agenda.
- On 13 March 2025, Senator the Hon Katy Gallagher delivered a speech acknowledging the essential role of the public service at The Mandarin's Building a Better Public Service Conference.
- On 20 January 2025, Senator the Hon Katy Gallagher participated in a door stop interview following being sworn in as the Minister for Government Services, referencing further work on the formal next tranche of reforms.
- On 5 December 2024, Senator the Hon Katy Gallagher delivered the second Annual Statement on APS Reform.
- On 19 September 2024, Senator the Hon Katy Gallagher announced the Government has legislated paying superannuation on Paid Parental Leave with the passage of the Paid Parental Leave Amendment Bill 2024 in the Senate.

- On 15 August 2024, Senator the Hon Katy Gallagher announced new data released by the ABS shows the national gender pay gap fell to 11.5 per cent from 12 percent in November 2023.
- On 13 August 2024, Senator the Hon Katy Gallagher announced legislation to an express power for the Australian Public Service Commissioner to investigate former agency heads for alleged breaches of the APS Code of Conduct and make determinations.
- On 25 July 2024, Senator the Hon Katy Gallagher announced from 1 January 2025, all government agencies will be required to meet 3 new standards (the Digital Inclusion Standard, the Digital Access Standard and the Digital Performance Standard) which are aimed at improving the experience for people and businesses interacting with government online.
- On 2 July 2024, Senator the Hon Katy Gallagher announced from July 1, parents will receive 22 weeks of Paid Parental Leave, up from 20 weeks, resulting in more support as parents take time out of work to care for their newborn.

### Relevant Media Reporting

- [Further public service reform hangs on ministerial resolve](#), Andrew Podger, The Mandarin, 4 September 2025
- [Cult of the government consultant: The war is far from over](#), Verona Burgess, The Mandarin, 10 June 2025
- [Study lists ROFL lessons of robodebt](#), Julian Bajkowski, The Mandarin, 16 June 2025
- [Treasury leadership and APS reform under Wilkinson](#), Bernard Keane, The Mandarin, 16 June 2025
- [Kennedy and Wilkinson appointments signal public service reset. Now APS reform must catch up](#), Andrew Podger, The Mandarin, 13 June 2025
- [Public sector reform, capability must lead, not follow](#), Caron Beaton-Wells, The Mandarin, 12 June 2025
- [Opinion | Peter Dutton misjudged APS's critical role for Australians | The Canberra Times | Canberra, ACT](#), Melissa Donnelly, The Canberra Times, 22 May 2025
- [A second term and no more Glyn Davis. What next for the APS?](#), Melissa Coade, The Mandarin, 12 May 2025
- [Government needs to press the APS reform accelerator](#), Andrew Podger, The Mandarin, 9 May 2025
- [Toughest and trickiest public-service reforms still lie ahead](#), Verona Burgess, The Mandarin, 9 May 2025
- [Election or not, we need to stay the course with public service reinvestment](#), Caron Beaton-Wells, 7 April 2025
- [Thorns among the roses: APS reforms that have not happened](#), Verona Burgess, The Mandarin, 28 March 2025
- [How capability reviews are aiding ministers and secretaries with APS future planning](#), Melissa Coade, The Mandarin, 14 March 2025
- [Albanese squibs on APS independence](#), Andrew Podger, The Mandarin, 10 January 2025

**Cleared by (SES):** Dr Rachel Bacon  
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**Consultation:** Nil  
**PDR Number:** SB25-000115

## Productivity in the APS

### Subject/Issue

The Government has legislative and financial mechanisms in place to ensure the APS is increasingly productive.

### Key points

- An APS that is efficient and effective in serving the Government, the Parliament and the Australian public is mandated under section 3(a) of the *Public Service Act 1999*.
- The *Public Governance, Performance and Accountability Act 2013* and the associated *Public Governance, Performance and Accountability Rule 2014* impose obligations on all public sector bodies to properly use and manage public resources and ensure financial sustainability.
- The PGPA framework requires Commonwealth entities to measure and assess their performance in achieving their purposes in their annual reports and through their annual performance statements.
  - These annual reports are required to be tabled in the Parliament and published on the Transparency Portal, providing ongoing public visibility of their performance over time.
- The Australian Government has an ongoing expectation for the APS to find efficiencies and increased productivity through the 1 per cent efficiency dividend.
- The Australian Government is also delivering a further \$6.4 billion in savings over 4 years through the reduction of external labour and non-wages expenses.
- This ensures public service entities deliver services more efficiently and effectively.

## Background

N/A

## Supporting information

### Questions on Notice

- QoN 13 (PQ25-000005). Productivity in the APS. Senate Parliamentary Question asked 22 July 2025. Response tabled 25 August 2025.

### Freedom of Information (FOI) Requests

- No FOIs asked.

### Recent Ministerial Comments

- Nil.

### Relevant Media Reporting

- Nil.

**Date Cleared:** 15/09/2025  
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**Consultation:** Nil  
**PDR Number:** SB25-000116

## 2025 APS Census results

### Subject/Issue

The APS workforce is engaged, enabled to innovate, supported to act with integrity and committed to delivering for the Australian people.

### Key facts and figures

#### Employee engagement

- Levels of employee engagement increased slightly across the APS from 2024 to 2025 (75 in 2025, 74 in 2024) and is now at the highest level recorded.
- The majority of respondents (93%) understood how their role contributes to achieving an outcome for the Australian public (93% in 2024).
- A slightly increased proportion (89%) believe strongly in the purpose and objectives of the APS (87% in 2024).

#### Innovation

- More than half (51%) agreed their agency recognises and supports the notion that failure is a part of innovation. This is a marked increase on 41% seen in 2024.
- In 2025, 59% of employees said their agency inspired them to come up with new or better ways of doing things (50% in 2024).

#### Integrity

- An increased majority of respondents in 2025 (81%) believe their agency's culture supports people to act with integrity (77% in 2024).
- An increased proportion (70%) felt supported to use their expertise to provide frank and fearless advice (65% in 2024).

#### Employment conditions

- Two-thirds (66%) felt fairly remunerated for the work they do (63% in 2024).
- A slightly increased proportion (85%) were satisfied with their non-monetary employment conditions (82% in 2024). This level of agreement is at the highest level ever recorded for the APS overall.

#### Flexible working arrangements

- A higher proportion of respondents in 2025 (80%) than in 2024 (76%) accessed some form of flexible working arrangement. The proportion who

said they worked from home/away from the office at least some of the time also increased in 2025 (68% in 2025; 61% in 2024). [Further detail within *SB25-000135 - Flexible work across the APS*].

### Unacceptable behaviours

- Perceptions of bullying and harassment are at their lowest levels since the APS Employee Census began 2012 (9.5% in 2025; 10.5% in 2024).
- Perceptions of sexual harassment continue to be low (0.4% in 2025 and 2024). [Further detail within *SB25-000125 - Sexual harassment in the APS*].
- Perceptions of discrimination have decreased and are at the lowest levels since the APS Employee Census began 2012 (8.4% in 2025; 10.0% in 2024).

### Key points

- The APS workforce remains highly engaged and committed to delivering for the Australian people.
- Since the conclusion of APS bargaining, there have been successive increases in satisfaction with monetary and non-monetary employment conditions.
- Changes to the *Public Service Act 1999* ensure the continued commitment to openness and transparency of agency-level Census results and action plans.

## Background

The 2025 APS Employee Census was administered between 5 May and 6 June 2025. There were 151,771 responses across the APS with a response rate of 81%. All participating APS agencies will be required to publish their Census Highlights report and an agency action plan, unless an exemption is sought.

## Supporting information

### Questions on Notice

- No QoNs asked

### Freedom of Information (FOI) Requests

- No FOIs asked

### Recent Ministerial Comments

- Nil

### Relevant Media Reporting

- Nil

**Date Cleared:** 14/09/2025  
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**PDR Number:** SB25-000127

**Reducing reliance on contractors and consultants  
(Strategic Commissioning Framework)**

**Subject/Issue**

The Government has a range of policies to reduce reliance on contractors and consultants and strengthen APS capability. The Strategic Commissioning Framework is one of those policies. It focuses on bringing ‘core work’ in-house.

**Key facts and figures**

- 2025-26 is the second year of implementation.
- Agencies have been working to bring core work in-house, in line with targets they set for 2024-25. APS-wide, agency targets totalled \$527 million.
- Agencies must report to the Australian Public Service Commission on targets and progress.
  - 2025 reporting closed on 12 September 2025.
  - The Commission is working through and analysing data reported by agencies.
- The Commission will brief the Minister for the Public Service and publish a public update by the end of 2025.

**Key points**

- The Strategic Commissioning Framework is one of a suite of initiatives to reduce reliance on external labour and strengthen APS capability.
- The framework has a specific focus on ‘core work’ – that is, the work that should be done by APS employees, not outsourced, for integrity or capability reasons. The aim is to reduce outsourcing of core work.
- The Australian Public Service Commission is the policy lead for the framework and monitors implementation.
- In 2024, agencies set initial targets to bring core work in-house.
  - Collectively, agencies committed to reduce outsourcing by \$527 million in 2024-25 through those initial targets.
- I look forward to seeing how agencies went with their targets and what was achieved in 2024-25.
  - The Commission has received 2025 reporting data from agencies, and is collating, quality assuring and analysing that data now.

**Document 8**  
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- The Commission will brief me as Minister for the Public Service and release a public update on implementation by the end of the year.
- The 2025 public update will include information on:
  - Progress against 2025-24 targets
  - Core work and targets for 2025-26
  - Agency efforts to embed the framework and build core capability.
- Agencies are also required to report publicly on their work to implement the Strategic Commissioning Framework.
  - Corporate plans should include information on the framework.  
I understand most agencies met that requirement in their 2025-26 corporate plans.
  - Annual reports should include information on the agency's 2024-25 targets and whether they were met. The APS Commission will monitor that as annual reports are published.
- Looking forward:
  - I expect to be briefed by the Commission in the coming months
  - The Commission will release an update before the end of the year
  - Agencies are focussing on delivering their targets for 2025-26
  - Agency heads are accountable for their agency's implementation of the framework. Monitoring and reporting is in place to track their progress.
- This is not about stopping all outsourcing. There may be circumstances where use of external labour is appropriate, particularly where the work is not core. In those instances agencies need to follow the Commonwealth Procurement Rules.

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### **Background**

The Strategic Commissioning Framework is an APS policy agreed by the Minister for the Public Service and endorsed by the Secretaries Board in October 2023. It aims to reduce inappropriate outsourcing of core public service work. The framework applies to agencies that employ staff under the *Public Service Act 1999*, covering 105 agencies in 2025-26. Agency heads are accountable for their agency's implementation of the framework. The APS Commission monitors agency progress and releases a public update at the end of each year, to support transparency and public accountability. The first public update was published on 4 November 2024. Another is due in late 2025.

In past Estimate hearings, Senator Barbara Pocock expressed disappointment that 2024-25 targets focused largely on labour hire and contractors, not consultants. Senator Pocock queried whether the Government is doing enough to curb APS use of consultants.

### **Key dates for the APS Strategic Commissioning Framework:**

- 24 October 2023 Strategic Commissioning Framework released
- 2023-April 2024 Implementation guidance released to agencies
- July-August 2024 First round of agency reporting to APS Commission (2024-25 core work and targets)
- August 2024 Corporate plans include agency targets
- 15 October 2024 Minister Gallagher briefed on reporting outcomes
- 4 November 2024 APS Commission issued 2024 public update
- August 2025 Corporate plans include info on agency progress
- September 2025 Second round of agency reporting to APS Commission (2024-25 progress, 2025-26 core work and targets)
- October 2025 Annual reports show progress against 2024-25 targets
- By end 2025 *Minister Gallagher to be briefed on reporting*
- By end 2025 *APS Commission to issue 2025 public update*

### **Supporting information**

#### **Questions on Notice**

- QoN 0037 (SQ24-000216), *Strategic Commissioning Framework*. Asked 4 November 2024. Response tabled 18 December 2024.
- QoN 0075 (SQ24-000009), *APS workforce growth*. Additional Estimates. Asked February 2024. Response tabled 16 April 2024.
- QoN 0060 (SQ23-000136), *Agencies the APS Strategic Commissioning Framework does not apply to*. Supplementary Budget Estimates. Asked October 2023. Response tabled December 2023.

#### **Freedom of Information (FOI) Requests**

- FOI request (LEX 1564) – QTBs provided by the Commission to the Minister for the Public Services. Response outstanding, due on 29 September 2025.
- FOI request (LEX 1383) – Copy of the APS Commissioner's Senate Estimates issues briefs prepared for the agency's appearance on 25 February 2025. Response submitted on 28 April 2025.
- FOI request (LEX 1077) - Briefing pack prepared for the APS Commission for 2024-25 Budget Estimates hearings. Response submitted on 30 September 2024.

**Document 8**  
**CONTRACTORS AND CONSULTANTS**

**Recent Ministerial Comments**

- [APS set to bring more than half a billion dollars of core work in-house](#), Minister Gallagher, Media release, 4 November 2024
- [Let's be clear, cutting APS jobs would devastate communities nationwide](#), Minister Gallagher editorial, The Canberra Times, 4 November 2024

**Relevant Media Reporting**

- ['Shifting the dial': big four hit in consultants crackdown](#) The Canberra Times, 10 September 2025
- [Consultancy firms win nearly \\$1bn in Australian contracts in past year despite new outsourcing rules, research shows](#) The Guardian, 26 August 2025
- [Public service consultants: Government urged to avoid 'lazy' option of hiring external advisers](#) Australian Financial Review 1 August 2025
- [Labor vowed to crack down on consultants, but spending is going up](#) The Sydney Morning Herald, 27 July 2025
- [Cult of the government consultant: The war is far from over](#) The Mandarin, 20 June 2025

**Date Cleared:** 14/09/2025  
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**Consultation:** Department of Finance  
**PDR Number:** SB25-000129

## Flexible work across the APS

### Subject/Issue

Flexibility helps the APS deliver for the community. Flexible working arrangements are an integrated part of APS operations. There is no one-size fits all approach for how best to use flexible work to support service delivery.

### Key facts and figures

- The APSC is finalising a report commissioned by the Minister for the Public Service on the operation of flexible work in the APS.
- The APSC collects data on flexible working arrangements through the annual APS Employee Census. In 2025:
  - **80%** of respondents accessed some form of flexible work. This is a 4 percentage point increase from 2024 (**76%**).
  - **86%** of respondents were confident that if they requested flexible work, the request would be given reasonable consideration. This is a 3 percentage point increase from 2024 (**83%**).
- Respondents were also asked about the frequency of working away from the office/from home:
  - **32** per cent did not work away from the office
  - **52** per cent did so some of the time as a regular arrangement
  - **9** per cent did so only on an irregular basis
  - **7** per cent did so all of the time (this represents approximately **10,500** employees).
- A majority of Census respondents (**61 per cent**) who accessed some form of flexible working arrangement had caring responsibilities, an ongoing disability, or were 55 or older. This figure is **60%** for employees accessing work from home arrangements specifically.
  - Under the *Fair Work Act 2009*, these categories of employees would be eligible to make a request for flexible working arrangements so long as they had satisfied 12 month length of employment requirements.

- 2025 APS Census results show a small increase in remote working arrangements and slightly larger increase in regular hybrid arrangements.

	2024	2025	Change
<b>Remote</b>	6%	7%	1pp
<b>Hybrid-regular</b>	47%	52%	5pp
<b>Hybrid-irregular</b>	9%	9%	0pp
<b>Site Based</b>	39%	32%	-6pp

- A common clause on flexible working arrangements was incorporated into all 103 APS enterprise agreements. All 103 agreements were operational by mid May 2024.
- Under the common clause, each individual employee request must be considered on a case-by-case basis, balancing the personal circumstances of the employee and the reasonable business grounds of the team and agency.
  - The individual, team and agency needs include meeting work health and safety standards, maintaining security and integrity, training and professional development opportunities, and ensuring high-quality public service delivery.
- The common clause specifies that employee requests for working from home will be considered on their individual merits, and commits that agencies will not impose collective caps on how much time can be worked from home or remotely.
  - The removal of caps does not mean that employees have an unfettered right to work from home.

### Key points

**If asked: Are you concerned with the increased uptake of working from home and remote working arrangements by APS employees?**

- Working from home is embedded in both the private and public sector and provides a range of benefits including attraction and retention of staff and employee wellbeing. Under the right circumstances it can also have productivity benefits.
- APS Employee Census results show modest change in the uptake of working from home arrangements – **1 percentage point** increase in fully remote working arrangements, and a **5 percentage point increase** in regular-hybrid working arrangements.

- Working from home arrangements haven't stabilised yet across society. In the APS, employees, teams and agencies are working together to best implement arrangements in line with their operational needs. This may require adjustment of arrangements over time to meet evolving needs of agencies, teams and individual employees.

**If asked: What support is being provided for the operation of flexible working arrangements in the APS?**

- The Secretaries Board's Principles of Flexible Work in the APS informed the common term negotiated through APS-wide bargaining, providing a framework for considering flexibility at the individual, team and organisation level.
- Guidance on the common clause was also published and distributed to agencies after the conclusion of bargaining by the APSC.
- The APSC is expanding training of managers and senior managers to ensure that agency, team and individual needs are properly integrated in flexible work arrangements.
- The APSC's APS Location Framework supports agencies to make more informed and deliberate choices about their workforce locations, and use flexible work as an enabler to secure the skills they need.

**If asked: What is the relationship between productivity and working from home?**

- Productivity for the APS means delivering on the objectives of Government and effectively serving the Government, the Parliament, and the Australian community.
- Flexible working arrangements are an effective method of boosting productivity when they meet the needs of the individual, their team and the agency.
- Flexible work allows employees to work during the hours they are most productive, balance their personal and working lives to reduce stress and burnout, and gives employees greater autonomy to complete their work.
- The report on flexible working arrangements found that agencies believed working from home had either a positive or neutral impact on employee engagement and agency performance / work output. No agencies responded that work from home had a negative impact on these measures.
- Employee engagement in the APS remains high. Research from the 2025 Employee Census shows that where an employee works has minimal impact on their engagement levels. Employees who work from home have comparable levels of engagement with those who work hybrid from

home and the office, and those who work in the office or other worksite all the time.

- The 2025 Australian HR Institute Survey found that more than four in ten employers (45 per cent) believed that work from home or hybrid work has had a positive effect on productivity levels at their organisation compared with only 11 per cent who think it has had a negative effect.
- Flexible working arrangements increase employee job satisfaction and engagement, and play a crucial role in attracting and retaining high performing employees. High engagement directly relates to productivity and effectiveness (World Bank Group, 2019).

**If asked: Will flexible working arrangements have an impact on the Commonwealth Government's office footprint in Canberra?**

- The APS continues to have a core presence in Canberra. At an individual agency level, agencies will continue to make choices about the location of their workforce and the corresponding property footprint required.
- The Department of Finance is responsible for the Commonwealth Property Management Framework and has worked with the APSC and the Attorney-General's Department to develop the APS Location Framework.
- The APS Location Framework is non-mandatory, principles based guidance for agencies. The APS Location Framework focuses on helping agencies use workforce location as a tool to attract and retain the skills they need, and supports good practice for those managing a dispersed workforce.
- The growth in our ability to work remotely has opened up a range of options for agencies and for employees. Agencies are successfully recruiting employees across Australia to get the talent they need.
- The Australian Government Office Occupancy Report indicates that, for non-corporate Commonwealth entities, the average cost per worker for office tenancies has decreased by \$252 from \$8700 for 2022-23 to \$8,448 in 2023-24.
- As part of its information collection activities, the report on flexible working arrangements also found that 73% of surveyed agencies utilise some form of shared workspaces (such as hot-desking) in some capacity. This is in part made possible by the adoption of hybrid working arrangements.

## Background

### **APS service-wide bargaining and flexible working arrangements common clause**

All APS agencies were required under the Policy to adopt the bargained common clause on flexible working arrangements, which was negotiated with unions and other employer representatives. The clause was incorporated into all 103 APS agency enterprise agreements.

### **National Employment Standards**

A number of changes to the flexible work provisions in the National Employment Standards came into effect on 6 June 2023. The common condition adopts and builds on these amendments, which apply to the majority of Australian workplaces. The changes include broadening who has a right to request flexible working arrangements, introducing new steps to be taken in relation to requests for flexible working arrangements and allowing the Fair Work Commission to deal with disputes on requests for flexible working arrangements.

### **VIC Government announcement on right to work from home 2 days per week**

On 2 August 2025, the Victorian Government announced plans to legislate a right to work from home 2 days per week for public and private sector employees where it is reasonable to do so. A 7 week consultation process concluded on 28 September. Subject to consultation, certain groups of employees, for example those on probation, may be exempt from the right. Business groups have criticised the announcement, and some legal scholars have questioned how the right will be legislated at a State level.

### **NSW Premier's Department circular on flexible working arrangements**

On 5 August 2024, the NSW Premier's Department released the C2024-03 NSW Government Sector workplace presence Circular. The Circular confirms that remote work opportunities exist but are not guaranteed or unlimited and should be managed based on departmental needs. This Circular emphasises that Government Sector employees contribute to public institutions through their presence at work, fostering a sense of belonging and effective service delivery. It notes that agencies should ensure that workspaces are used efficiently and that remote work arrangements are formally approved and reviewed regularly.

### **US administration changes**

On 20 January 2025, the White House issued a presidential decree that all departments and agencies should as soon as practicable, take all steps to terminate remote work arrangements and require employees to return to work in-person. Agency heads may make exemptions deemed necessary.

## Supporting information

### Questions on Notice

- QoN #0598. Working from home arrangements – public servants. Senate Finance and Public Administration Legislation Committee Additional Estimates 25/02/2025. Response tabled 24/03/2025.

### Freedom of Information (FOI) Requests

- FOI request (LEX 1383) – Copy of the APS Commissioner Gordon de Brouwer's Senate Estimates issues briefs prepared for the agency's appearance before the FPA committee for the hearings on 25 February 2025. Response submitted on 28 April 2025.
- FOI request (Lex 1406) – Any correspondence or briefings between the Finance Minister's office and the office of the APS Commissioner regarding APS working from home policies and arrangements. Response submitted 16 April 2025.

### Recent Ministerial Comments

#### Minister for the Public Service 29 January 2025

Like many private sector organisations, workplace flexibility is a standard part of our operational requirements and is included in APS enterprise agreements.

To suggest that public servants simply aren't showing up for work is offensive to the thousands of men and women who work hard every day to provide services that the Australian community rely on.

It's easy for the Coalition and other interests to bash the public service for their own gain, but we will continue to make decisions based on the facts.

I have commissioned a report from the APS Commissioner on the operations of flexible work arrangements, which will consider the benefits and any other feedback from agencies.

### Relevant Media Reporting

- Nil.

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**Consultation:** People Insights Branch, Workforce Strategies Branch, Leadership and Talent Development Branch, Department of Finance - Climate Action and Property Data Branch.  
**PDR Number:** SB25-000135

**APSC Budget****Subject/Issue**

APSC 2025-26 Budget outlook

**Key facts and figures**

In its 2025-26 PBS Chapter, the APSC reports: no changes in relation to its strategic direction, two new measures, and minor revisions to performance information since the 2024-25 Budget.

**S 47C**

**Key points**

- The 2025-26 APSC departmental operating resourcing is as follows:
  - \$56.2 million in operating appropriation funding comprising of:
    - \$47.9 million in departmental appropriation as per 2025-26 PM&C Portfolio Budget Statement
    - **S 47C**
    - **[Redacted]**
  - \$31.6 million in cost recovery revenue.
  - \$0.4 million in capital funding.
- The departmental operating resourcing for 2025-26 is \$11.0 million lower than in 2024-25 (\$67.2 million).
- The Average Staffing Level for the APSC for 2025-26 is 381. This is a reduction of 7 ASL as compared to 2024-25 (388).
  - The reduction of 7 ASL relates to terminating measures: APS Reform of 4 and Capability Reinvestment Fund of 3.

## Background

The two new measures from the 2025-26 PM&C Portfolio Budget Statement are:

- The extension of the APS Academy Campuses for 18 months from 1 July 2025 to 31 December 2026 providing funding of \$3.4 million. The measure provides for 6 ASL in 2025-26 (\$2.2 million) and 3 ASL in 2026-27 (\$1.2 million).
- The extension of the Respect@Work initiative to 30 June 2026 providing funding of \$0.3 million, in which the APSC is supporting the Workplace Gender Equity Agency (WGEA) with its reporting in relation to Commonwealth Public Sector Gender Equality.

s 47C

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The following measures were terminated at 30 June 2025:

- Growing regional data and digital talent for Australia's recovery and growth, \$3.1 million funding and 6.8 ASL for 2024-25 financial year.
- Jawun Funding Transfer, \$0.5 million funding and no ASL for 2024-25 financial year.
- Boosting First Nations Employment in the APS, \$1.8 million and no ASL for 2024-25 financial year.
- Round 2 Capability Reinvestment Fund, \$0.7 million and 3 ASL for the 2024-25 financial year.
- Redevelopment of the APS Employee Database, \$4.2 million funding (\$0.7 million operating and \$3.5 million capital) and 1 ASL for 2024-25 financial year.

There have been several changes to the APSC's performance measures for the 2025-26 Portfolio Budget Statements. Minor changes include refining performance assessment methodologies, setting separate performance sub-measures or stand-alone measures, and setting baseline or amended targets. Substantial changes include:

- *Performance Measure 1.2.2: 100% of Agencies have section 15(3) APS Code of Conduct Procedures published on their website which comply with section 15(4)*, has been removed and replaced by measure 1.1.
- *Performance Measure 2.2.3: >6 agencies have recruited from First Nations SES Merit List*, has been removed. This target was achieved in 2024-25.

## Supporting information

### Questions on Notice

- Nil.

### Freedom of Information (FOI) Requests

- LEX 1383. Copy of the APS Commissioner Gordon de Brouwer's Senate Estimates issues briefs prepared for the agency's appearance before the FPA committee for the hearings on 25 February 2025. Response submitted on 28 April 2025.
- LEX 1531. Documents demonstrating official work was performed by SES employees while using the Qantas Chairman's lounge and the Virgin Beyond lounge, as well as flight details and records of any meal allowances paid. Response submitted on 4 August 2025.

### Recent Ministerial Comments

- Nil

### Relevant Media Reporting

- Nil

**Date Cleared:**

**Cleared by (SES):** Dr Rachel Bacon, Deputy Commissioner

**Telephone No:** s 22

**Group/Branch:** Integrity, Reform and Enabling Services

**Contact Officer:** s 22

**Telephone No:** s 22

**Consultation:** Nil

**PDR Number:** SB25-000144

## EXEC - APS Academy

**Subject/Issue**

Established in July 2021 and drawing its mandate from the Commissioner's functions (s.41 *Public Service Act 1999*), the APS Academy's purpose is to transform and uplift APS capability.

**Key facts and figures**

- The APS Academy's work program is focused on three key strategic areas:
  - deepening the APS Craft.
  - strengthening the networked approach with agencies, including connecting with centres of excellence.
  - transforming whole-of-APS capability.
- Annual operating budget for 2024-25 was \$26m, spread across different functions in the APSC (75% of funding from demand driven cost recovery.)
  - Demand has nearly tripled over three years (from ~54,000 in 2022-23 to ~152,000 in 2024-25.)
  - 37% increase in participation in leadership programs in 2024-25; 16% increase in participation in other paid courses.
  - 70% increase in online events such as free Master Craft webinars with > 17,000 participants.
  - 128% increase in access to free eLearning on APSLearn with > 114,000 participants.
  - 93% of facilitated courses are performing above evaluation benchmarks.
- The APS Academy uses some specialist external skills to complement capabilities of Academy staff and practitioners, in a manner consistent with the Strategic Commissioning Framework
- External services and other supports (such as venue hire and catering) are procured in line with the Commonwealth Procurement Rules

## Background

The Annual operating budget for 2024-25 is \$26 m with 75% of funding from demand driven cost recovery. Other sources include departmental appropriation and a subscription agreed to annually by contributing secretaries.

The APS Academy consults broadly to understand and respond to priorities including with the APS Learning Board and APS Faculty ahead of confirming its work program with Secretaries Board. It is currently focussed on deepening AI capability and building critical management and core public administration skills earlier in public service careers. This is in addition to the Academy's annual calendar of course offerings and the monthly event series.

## Use of venues and catering

The use of external venues has been the subject of Questions on Notice and limited media reporting by the *Canberra Times*. The majority of courses are currently held co-located with Academy facilities in the Museum of Australian Democracy or in the case of programs delivered to a single agency, at that agency's location.

For specific programs and purposes the APS Academy does use external venues, this includes residential or immersive programs or where the number of participants exceeds the capacity of APS Academy leased facilities. When external venues are procured they are procured in line with Commonwealth Procurement Rules, considerations include value for money, accessibility, fit for purpose as a learning environment. For example, venues are procured for immersive leadership programs held outside of Canberra, taking into account the dispersed national footprint of the APS and the benefit of deeper reflection, connection and learning, beyond the work environment.

## Implementation of the Strategic Commissioning Framework

The APSC defined its core work in June 2024, and the APS Academy achieved the target it set for 2024-25. The Academy uses a 'hybrid' model, where external learning specialists supplement APS capability as needed. For example, in senior leadership programs external partners provide independent perspectives to support individual and system-level change while the Academy maintains lead facilitation responsibilities and program oversight. The hybrid model for delivering learning and development is a common model in large private organisations, in other government jurisdictions and in The Australia and New Zealand School of Government. Where required, the APS Academy engages external providers in line with the Commonwealth Procurement Rules.

## Supporting information

### Questions on Notice

- Question on Notice – QB25-000033 - Delivery of APS Academy leadership programs outside of Canberra.

### Freedom of Information (FOI) Requests

- FOI request (LEX1077) - Briefing pack prepared for the APS Commission for 2024-25 Budget Estimates hearings. Response submitted on 30 September 2024.

- FOI request (LEX 1311) - Relating to the up-coming Graduate Development Program event, 6 March, 2025. Decision submitted 10 February 2025
- FOI request (Lex 1564) - all Question Time Briefs (QTBs) provided by the Department to the Minister for the Public Service, Senator the Hon Katy Gallagher, for each parliamentary sitting day from 23 July 2025 to 31 July 2025 (dates inclusive).

**Recent Ministerial Comments**

- Nil.

**Relevant Media Reporting**

- Media – Miriam Webber, Public Eye: “Staff rolling with rising food prices (An APS retreat to the country)” Canberra Times

**Date Cleared:** 19 September 2025  
**Cleared by (SES):** Kate Boxsell / Faye Liu / Subho Banerjee  
**Telephone No:** S 22  
**Group/Branch:** Leadership & Talent  
**Contact Officer:** Kate Boxsell  
**Telephone No:** S 22  
**Consultation:** Nil  
**PDR Number:** SB25-000154

**Code of Conduct Inquiry into APS Commissioner****Subject/Issue**

Two independent investigations have affirmed the conduct of the APS Commissioner in the Robodebt Code Inquiry.

**Key points**

- Following the Robodebt Code of Conduct Inquiry, two separate formal complaints were lodged by two people claiming the APS Commissioner had breached the Code of Conduct during the Robodebt Code inquiry.
- None of the allegations were substantiated and the APS Commissioner was fully exonerated.
- The APS Commissioner was doing his job, and did so properly.

*Investigation process*

- Complaints were referred to the Merit Protection Commissioner, who is responsible for inquiries into alleged breaches of the APS Code of Conduct by the APS Commissioner under the *PS Act 1999*.
- The Merit Protection Commissioner delegated their powers to two independent investigators to ensure no conflict of interest existed, either perceived or otherwise, because of their own involvement in the Robodebt Code of Conduct Investigations.
- Two Independent Investigators undertook forensic, thorough, independent and procedurally fair analysis of each these complaints.
- The investigators exonerated the APS Commissioner of all 7 allegations made by Complainant 1.
- The second investigator did not believe the 3 breach allegations made by Complainant 2 would be sustained and a formal examination was not required.

**If asked**

***Why did the MPC investigate these matters? Isn't the MPC part of the same organisation as the Commissioner?***

- s 50(1)(b) of the PS Act provides that it is a function of the MPC to inquire into alleged breaches of the Code of Conduct by the Commissioner.
- In fact in these circumstances the matter was delegated to an external party to avoid any conflicts of interest.

***Has the Government paid the APS Commissioner's legal fees?***

- The APS Commissioner sought legal advice. He paid for these costs himself.

***Why did we only find out when the Commissioner made a statement on the matter?***

- While the PS Act prevents the relevant Commissioner (MPC or their delegate) and any staff who are assisting with the inquiry from disclosing that a Code allegation has been made or an investigation has been conducted (with some exceptions set out above), there is no restriction on the person against whom the allegations have been made from releasing information about the matter.
- The Australian Public Service Commissioner strongly believes in protecting the integrity of the office. He did not shirk from the scrutiny of an independent inquiry into his actions. He decided to make a public statement on 31 July to demonstrate the extensive scrutiny to which his actions had been subject and what the outcomes of that scrutiny are.

***Who were the two complainants?***

- Code of conduct investigations are conducted on a confidential basis and information that is generated in the course of these matters is protected under the *Public Service Act 1999* (section 72B).
- The reason for this confidentiality is to ensure that persons who come forward with allegations can do so with confidence, and to protect the integrity of the Code and any further process that might flow from the investigation.
- There is an exception where the responsible Commissioner (in this case the MPC) considers that it is in the interest of an agency or the public to disclose information (s72B(5)) and for personal information it is fair and reasonable in all the circumstances (s72B(6)).
- The MPC or their delegate has not exercised this discretion to disclose the fact of the Code allegations – since they were found to be without substance, or the names of the persons who made the allegations.

***Why is this investigation public when you say people undergoing Code of Conduct Investigations cannot be named?***

- Documents related to these investigations were recently released to a member of the public in response to Freedom of Information requests.
- The APS Commissioner is reasonably identifiable in the documents.
- Therefore it is in the public interest to address any speculation on this matter and to protect the office of Australian Public Service Commissioner.

## Background

On 13 September 2024, the Final Report of the Centralised Code of Conduct Inquiry into the Robodebt Scheme was published on the APSC website. This included a detailed statement from the APS Commissioner.

The Code of Conduct Inquiry was robust and extensive. Ultimately, it found that 12 current and former public servants and agency heads had breached the APS Code of Conduct on 97 occasions. This included 2 former departmental Secretaries.

## Supporting information

### Questions on Notice

- Nil

### Freedom of Information (FOI) Requests

- Redacted documents about the first investigation were released by the Merit Protection Commissioner to a member of the public in July 2025, in response to Freedom of Information requests made in February 2025.

### Recent Ministerial Comments

- Nil

### Relevant Media Reporting

- [Gordon de Brouwer reveals he was cleared by two APS Code of Conduct robo-probes](#)  
Julian Bajkowski – The Mandarin – 31 July 2025
- [Public Service Commissioner cleared after probe into his conduct](#)  
Miriam Webber – The Canberra Times – 31 July 2025
- Public Service Commissioner says he has been cleared over robodebt inquiry  
Sarah Basford Canales – The Guardian — 31 July 2025

**Date Cleared:** 19 September 2025  
**Cleared by (SES):** Dr Gordon de Brouwer  
**Telephone No:**  
**Group/Branch:** Commissioner's Office  
**Contact Officer:** **s 22**  
**Telephone No:** **s 22**  
**Consultation:** Nil  
**PDR Number:** SB25-000156