Australian Government
Australian Public Service Commission

Incoming Commissioner Brief

May 2026

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The Australian Public Service Commissioner

The Australian Public Service (APS) Commissioner is entrusted under the *Public Service Act 1999* (PS Act) to be a steward of integrity, capability and workforce management for the APS.

The Commissioner leads the Australian Public Service Commission (the Commission; the APSC) to fulfil its role as a system leader and trusted advisor to both, the Service and the government.

The Commission is integral to the governance of the APS. It provides system stewardship, professional expertise and strategic advice to the Minister and Assistant Minister for the Public Service, Secretaries Board and the APS more broadly. The Commission's role includes oversight of workforce strategies, capability reviews and leadership development, helping the APS to maintain a high-performing, forward-looking workforce.

The Commissioner has a number of specific legislative responsibilities set out under the PS Act, including own motion powers under certain circumstances.

The Commission works in partnership across the APS to fulfil its stewardship mandate. This enables the Commission to drive system-wide initiatives efficiently and lead a trusted APS that models the APS Values and public service excellence.

The Secretaries Board, established under s64 of the PS Act, provides strategic leadership, shapes priorities and fosters a unified direction and purpose across the service. The Commissioner works in partnership with secretaries through Secretaries Board and its subsidiary committees to deliver on APS-wide priorities. If the Secretary of the Department of the Prime Minister and Cabinet (PM&C) is not available, the Commissioner or the acting PM&C Secretary will chair Board meetings.

It is conventional that the APS Commissioner is also appointed to be the Parliamentary Service Commissioner, under the *Parliamentary Services Act 1999*. This legislation entails a number of governance responsibilities with respect to the Parliamentary Service.

This brief provides a high-level overview of the organisational arrangements for the Commission, the specific responsibilities set out in legislation for the roles of the APS Commissioner and the Minister for the Public Service, and the responsibilities for the role of the Parliamentary Service Commissioner.

Ministers

Roles and Functions

The Commission reports to two Ministers – the Minister for the Public Service and the Assistant Minister for the Public Service.

The Minister for the Public Service is responsible for all Commonwealth public sector bodies that employ staff under the PS Act. The Minister has overall responsibility for the policies governing these staff and other matters covered by the PS Act. As an agency minister, they also have oversight of the activities of the Commission, including receipt of the annual State of the Service Report for tabling in Parliament.

The Assistant Minister for the Public Service assists the Minister in managing the APS, focusing on workforce reform, integrity, capability development and implementing government policies.

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 seldom used and only in exceptional circumstances in response to significant and extraordinary occurrences. 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.

- s41(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:

- s21 allows the Prime Minister to issue general directions to agency heads relating to the management and leadership of APS employees.
- s41C allows the Prime Minister to direct the APS Commissioner to conduct a systems review of any matter relating to an APS agency.
- s41D 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 public sector and not just the APS.

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.
- 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*.

Ministerial short form bios

Senator the Hon Katy Gallagher

Minister for the Public Service
Minister for Women
Minister for Finance
Minister for Government Services

Minister Gallagher has dedicated her working life to improving the lives of Canberrans, whether it was advocating for people with disability as a community worker, standing up for the rights of public servants as a CPSU Organiser or delivering for every Canberran as the Chief Minister of the ACT.

Katy is proud to have lived in Canberra her entire life. She grew up in Weston Creek and is now raising her family on Canberra's north side.

As a Minister in the ACT Government and later as Chief Minister, Katy made sure growth in essential services, new schools and health services kept pace with a growing city.

As Chief Minister, Katy also made sure Labor took on big vision ideas like building the light rail, legislating marriage equality, starting Australia's first public nurse-led Walk-in Centres, and committing the ACT Government to a 100% renewable energy target by 2020.

Katy has taken this same focus and determination into the Federal Parliament, from holding the government to account at Senate Estimates and introducing her own Anti-Rorting Bill, to scrutinising the government's pandemic response as Chair of the COVID Committee. Katy has been a champion of accountability and integrity – especially when it comes to government spending. She's also been a strong and vocal advocate of reform when it comes to workplace culture in our nation's Parliament[1].

Ministerial Office Staff

Chief of Staff: s 47F
Adviser: s 47F
Comms Director: s 47F

[1] Text drawn from Minister Gallagher's website

DLO: s 47F
Executive Officer: s 47F

The Hon Patrick Gorman MP

Assistant Minister to the Prime Minister
Assistant Minister for the Public Service
Assistant Minister for Employment and Workplace Relations

Patrick Gorman entered Parliament to turn Perth's local values into national results.

Perth is a passionate, vibrant community with strong values.

That's what Patrick sees everyday living in North Perth with his incredible wife Jess and two children, Leo and Ruby.

As the son of teachers and a kid who suffered from chronic asthma, Patrick knows how important protecting Medicare and making education available for everyone is.

Patrick has been privileged to help shape not only the future of Perth over the last few years – but the kind of country that we want to be.

Patrick has seen the transformative power of good government to uplift lives.

He has also seen the damage caused by destructive and irresponsible Liberal governments.

That's why he is proud to be part of the Albanese Labor Government, which is building Australia's future.

Prior to Parliament, Patrick served as Principal Adviser to Prime Minister Kevin Rudd and State Secretary of WA Labor.

He has a Master of Business Administration from the University of Western Australia and a Bachelor of Social Science from Curtin University[2].

Ministerial Office Staff

Chief of Staff: s 47F
Adviser: s 47F
Media Adviser: s 47F
DLO: s 47F
Executive Officer: s 47F

[2] Text drawn from Assistant Minister Gorman's website

APS Commissioner's legislative responsibilities, powers and directions

Powers of the APS Commissioner under the PS Act

The APS Commissioner is a statutory appointment under the PS Act. The Commissioner's overarching functions, as set out in s41 of the PS Act, are to:

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

Commissioner's Directions

The Commissioner may issue Directions to agency heads and APS employees as necessary for the effective operation of the APS, in accordance with subsections 11(1), 11A(1), 11A(2) and 15(6) of the PS Act.

Commissioner's Directions prescribe standards that agency heads and APS employees must uphold to meet their obligations under the PS Act. The Commissioner's Directions provide details on the application of the APS Values and APS Employment Principles and provisions relating to:

- recruitment and selection
- performance management
- handling of suspected breaches of the Code of Conduct, and
- other employment matters.

The Commissioner's Directions are legislative instruments.

Classification Rules

Under s23 of the PS Act, the Commissioner may, by legislative instrument, make rules about the classifications of APS employees.

The Classification Rules may apply, adopt or incorporate, with or without modification any of the provisions of a modern award or a transitional Australian Pay and Classification Scale.

Agency heads must comply with the Classification Rules and may only reduce the classification of an APS employee, without the employee's consent, in the circumstances prescribed by s23(4) of the PS Act.

Institutional Integrity

Under s41 of the PS Act, the Commissioner has statutory responsibility for institutional integrity, including upholding high standards of integrity and conduct; promoting the APS

Values, the APS Employment Principles and the Code of Conduct; evaluating the extent to which APS agencies incorporate and uphold the APS Values and the APS Employment Principles and the adequacy of systems and procedures in agencies for ensuring compliance with the Code of Conduct.

State of the Service Report

Under s44(1) of the PS Act, as soon as practicable after the end of each financial year, the Commissioner must give a report to the Minister, for presentation to the Parliament, on the state of the APS during the year.

The Commissioner has the power to procure whatever information is required from an agency head for the purpose of preparing the report referred to in subsection (1).

Capability Reviews

Under s44A of the PS Act the Commissioner may, at any time, cause a capability review of an agency (other than the Australian Public Service Commission) to be undertaken.

The Commissioner must cause a capability review of each department, Services Australia and the Australian Taxation Office to be undertaken at least once every 5 years, or another number of years if the Commissioner determines in writing.

The PM&C Secretary must cause a capability review of the APSC to be undertaken at least once every 5 years or any other number of years if the Secretary determines in writing.

Commissioner's Special Inquiry Powers

Section 43 of the PS Act details the various circumstances in which the Commissioner may undertake a special inquiry, which has the effect of being able to access the Audit-General's powers under the *Auditor-General Act 1997* in particular circumstances. Special inquiries are aligned with the Commissioner's functions under s41(2).

Australian Government Appointments Framework

The Australian Government Appointments Framework enshrines a principled and merit-based approach to how ministers make appointments to over 2,000 public offices, including roles such as departmental secretaries, agency heads, statutory office holders, and members of government boards. The Framework outlines clear responsibilities, flexible appointment pathways and high-level guidance, establishing common standards to support consistency and accountability in appointment processes across the Commonwealth.

PM&C will oversee the Framework, and the Commission will provide support and advice to agencies to build their capability to implement the Framework.

The Commissioner may participate on assessment panels for appointments or provide support and advice within the scope of the Commissioner's statutory functions (s41(2) of the PS Act), where requested by the relevant minister. In practice, the Commission expects this to occur on a by-exception basis. Since the Framework took effect on 2 February 2026, no such invitations have been received.

Secretary Appointments

Under s58 of the PS Act, the Governor-General appoints a secretary of a department on the Prime Minister's recommendation.

Before recommending a departmental secretary appointment be made, the Prime Minister must receive a report from the PM&C Secretary. In preparing this report, the Secretary must consult with the:

- Commissioner, and
- Minister (or expected minister) of the department at the time the appointment is made.

If the PM&C Secretary and the Commissioner disagree in relation to the appointment of an agency secretary, the substance of this disagreement must be explained in the report.

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

Appointment of the PM&C Secretary

Before recommending to the Governor General that a person be appointed as the PM&C Secretary, the Prime Minister must have received a report about the appointment prepared by the Commissioner.

Secretary Appointment Terminations

Under s59 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 PM&C Secretary. The Secretary must consult the Commissioner in preparing this report, and if there is disagreement, its substance must be explained.

Termination of the PM&C Secretary

Before recommending to the Governor-General that the appointment of the PM&C Secretary, the Prime Minister must have received a report about the proposed termination from the Commissioner.

SES Recruitment

The role of the Senior Executive Service (SES) is vital in shaping the APS. The Public Service legislation details the important function that the SES plays in providing APS wide ethical and strategic leadership of the highest quality that contributes to an effective and cohesive APS.

Recruitment into SES vacancies must meet the requirements in the PS Act and the *Commissioner's Directions 2022*, including that selection decisions are based on merit and that the Commissioner or their representative is a full participant in the selection process. Agencies are required to notify the Commissioner of their intention to advertise, including

seeking agreement for a Commissioner's Representative. The Commissioner's Representatives role in SES recruitment is to ensure that the process:

- is consistent with the requirements of the PS Act and the Commissioner's Directions, ensuring employment decisions are consistent with merit
- takes into account the wider skills and capabilities expected of SES employees across the whole of the APS including those that will be needed by the APS in the future
- is aligned to the SES Performance Leadership Framework that requires behaviours to be considered equally with outcomes, and
- genuinely considers diverse candidates.

Termination of SES Employees

Under s38 of the PS Act, an agency head cannot terminate the employment of an SES employee unless the Commissioner has issued a certificate in respect of the proposed termination.

The certificate must state that all relevant requirements of the Commissioner's Directions made under s11A(1) have been satisfied and the Commissioner is of the opinion that the termination is in the public interest. There are not currently any Commissioner's Directions made for this purpose.

Code of Conduct Inquiry Powers

Under s41A of the PS Act, the Commissioner has a statutory function to inquire into alleged breaches of the Code of Conduct by an agency head or former agency head. The Procedures for undertaking inquiries are published on the Commission's website.

Inquiries into Code of Conduct breaches by APS employees are ordinarily the statutory responsibility of the relevant agency head. The Commissioner in agreement with a request from the Prime Minister or an agency head, may under s41B of the PS Act, inquire into and determine whether an APS employee or former APS employee has breached the Code of Conduct. The Procedures for undertaking inquiries are published on the website.

Under s64 of the Commissioner's Directions, if a SES employee in an agency is suspected of breaching the Code of Conduct, the agency head must consult with the Commissioner on the process for determining whether the employee has breached the Code of Conduct, and before imposing a sanction.

There are also (limited) powers for inquiries relating to the *Public Interest Disclosure Act 2013* (subject to the Public Service Regulations).

Settlement of Disputes

Sections 20 and 21 of the Commissioner's Directions, provide the requirements for when the Commissioner must be consulted by an agency head and receive reports on non-disclosure and confidentiality provisions in agreements settling disputes about employment matters, in particular sexual harassment.

Collection of Employment and Workplace Relations Information

S54 of the Commissioner's Directions specifies that employment related information specified in s54(2) of the Commissioner's Directions must be collected from each APS employee by agency heads and given to the Commissioner.

S55 provides the Commissioner's statutory power to require agency heads to give information or documents about workplace relations to the Commissioner.

APS Employment Framework

The APS Employment Framework is the legislative and structural foundation governing how public servants are hired, managed, and developed. It unifies recruitment rules, capability expectations, and workplace rights under federal laws such as the PS Act.

Public Service Regulations 2023 (the Regulations)

The Regulations provide further detail on the operation of the PS Act. The Regulations have provisions relating to the Code of Conduct; review rights; independent selection advisory committees; the functions of the Commissioner and the Merit Protection Commissioner; the employer powers of Agency Heads; non-ongoing (temporary) employment arrangements; the use and disclosure of personal information; and the authorisation to charge a fee to deliver learning and development programs.

Australian Public Service Commissioner's Directions 2022 (Commissioner's Directions)

The Commissioner's Directions are developed by the Commissioner in accordance with subsections 11(1), 11A(1), 11A(2) and 15(6) of the PS Act. The Commissioner's Directions prescribe standards that agency heads and APS employees must uphold to meet their obligations under the PS Act. It provides details on the application of the APS Values and APS Employment Principles, and provisions relating to recruitment and selection; performance management; handling of suspected breaches of the Code of Conduct; and other employment matters.

Public Service Classification Rules 2000 (the Rules)

The Rules are made in accordance with s23(1) of the PS Act and prescribe approved classifications for the APS. The Rules require agency heads to allocate each APS employee an approved classification. S9 of the Rules requires that the allocation of a classification to a group of duties must be based on work value as described by the APS Work Level Standards issued by the Commissioner.

Public Service (Commissioner's Functions) Directions 2026

This is a legislative instrument made by the Prime Minister under s41(2)(q) of the PS Act. It is a direction relating to the functions of the Commissioner with respect to the remuneration and terms and conditions of employment of APS employees and other employees of Commonwealth entities and Commonwealth companies.

Machinery of Government Changes

When Machinery of Government (MoG) changes are enacted, the Commission manages implementation with PM&C and the Department of Finance.

Under the PS Act, the Commission supports agencies by providing guidance on MoG related workforce matters. This includes advice on staff transfers, employment conditions and compliance with the APS Code of Conduct and other workforce and enabling legislation. In order to effect the administrative re-arrangement, the Commission is responsible for developing and authorising the legislative instrument to move APS employees to another agency via a written determination.

The Commission helps ensure continuity of the APS Values and employment frameworks, while contributing to consistent and stable governance across departments during periods of realignment.

Role on Secretaries Board

The Commissioner is a statutory member of the Secretaries Board. If the PM&C Secretary is not available, the Commissioner or the acting PM&C Secretary will chair Board meetings.

Parliamentary Service Commissioner's legislative responsibilities, powers and directions

By convention, the APS Commissioner is also appointed as the Parliamentary Service Commissioner,[3] and does not receive any additional remuneration for the role.[4]

The Commission is not separately funded to support the Commissioner in performing these functions. There is no dedicated staffing to support the Commissioner in undertaking these activities, nor are there formal delegation powers available under legislation to Commission staff. The activities have recently tended to sit as additional duties with the General Counsel and Integrity Operations and the Integrity, Performance and Employment Policy branches.

Note that the Parliamentary Service Commissioner is required to attend Senate Estimates Hearings with the Department of Parliamentary Services.

An extract of relevant provisions is at Attachment D.

[3] Section 43(2) *Parliamentary Service Act 1999*
[4] Section 44(4) *Parliamentary Service Act 1999*

Commission Overview

The Commission is an agency within the Prime Minister and Cabinet portfolio. It is a non-corporate Commonwealth entity.

The Commission supports four statutory office holders:

- the Australian Public Service Commissioner – who is also agency head
- the Parliamentary Service Commissioner
- the Merit Protection Commissioner, and
- the Parliamentary Service Merit Protection Commissioner.

Their functions are set out in s41(1) and s50(1) of the PS Act; and s40 and s48 of the *Parliamentary Service Act 1999* respectively.

The Commission's statutory responsibilities are detailed in the PS Act and it operates under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Role and Purpose

The Commission plays a central role in positioning the APS to meet the evolving expectations of the Parliament, Government and the public. It acts as a steward of the APS, with responsibility for strengthening integrity, workforce management and capability across the service.

Purpose

To steward the APS as custodians of public service integrity, workforce management and capability.

Vision for the APS

The Commission works to support a trusted and contemporary APS that delivers for Government and for Australia:

- **A trusted APS** models transparency and continuous improvement, puts people, community and business at the centre of policy design and delivery, and promotes professionalism, diversity, respect and integrity.
- **A contemporary APS** has the capabilities it needs now and into the future, underpinned by competitive working conditions that attract and retain diverse talent. It has a shared sense of purpose, empowers staff, is forward leaning, and predicts and adapts to challenges while delivering with empathy and authority.

An **APS that delivers for Government and for Australia** makes a difference on matters of national importance, including during times of uncertainty and risk.

Key Functions

The Commission delivers outcomes for Government and the Australian public by exercising its statutory functions, including:

- strengthening the professionalism of the APS
- improving workforce management practices
- promoting high standards of integrity and conduct
- fostering leadership across the service
- delivering high-quality learning and capability development
- inquiring into and reviewing matters relating to the APS.

The Commission provides evidence-informed advice and supports agencies to deliver effectively, while embracing innovation and appropriate risk.

APS Academy

The Commission delivers APS-wide learning and development through the APS Academy, a key mechanism for building capability and supporting workforce priorities. Rather than operating as a standalone organisational unit, the Academy draws on efforts from a number of branches across the Commission.

The Academy's mission is to foster an APS-wide culture of continuous learning that builds core public sector capabilities and drives high performance.

The Academy is one of the Commissioner key mechanisms to deliver capability building and workforce responsibilities – as outlined in s41 of the PS Act – including to foster, and contribute to, leadership, high quality learning and development and career management in the APS.

APS Professions

The APS Commissioner is also Head of the APS Professions. APS Professions prepare the APS for the future by building critical capabilities, fostering innovation and building a more capable, skilled and resilient workforce. They offer collaborative communities to strengthen skills, connect with peers and gain the expertise.

- APS Professions address several key needs within the APS:
- Attracting and retaining talent
- Enhancing capability
- Supporting career development
- Improving Government services
- Fostering collaboration and knowledge sharing
- Responding to changing workforce needs.

Senior Executive Team

Short form bios for the Senior Executive Team are provided below[5].

Dr Subho Banerjee
Deputy Commissioner

Dr Banerjee commenced as Deputy Commissioner in January 2023.

Subho previously served as Deputy Secretary in the Education and Training, Industry and Climate Change portfolios. He also worked for ANZSOG, a private sector consultancy and an Indigenous thinktank.

Subho holds a BSc and PhD in Physics from the ANU. He also holds Masters qualifications in economic and social history, and environmental change and management from the University of Oxford, where he was a Rhodes Scholar.

Dr Rachel Bacon
Deputy Commissioner

Dr Bacon commenced as Deputy Commissioner in December 2023.

Rachel was previously the Deputy Secretary Public Sector Reform at the Department of the Prime Minister and Cabinet, helping shape and deliver a suite of reform initiatives to make people's interactions with government simpler and easier.

Rachel's PhD from the University of Sydney focused on administrative law and organisational change.

Ms Jo Talbot FCPHR, GAICD
First Assistant Commissioner

Ms Talbot commenced as First Assistant Commissioner in July 2023.

Jo previously held Chief Operating Officer and Chief People Officer roles, as well as a range of senior corporate leadership roles, including at the Departments of Foreign Affairs and Trade, Social Services, Communications and the Arts, Human Services and Australian Customs Service.

Jo holds a Bachelor of Arts degree with a major in Human Resources from the University of Tasmania and a Graduate Certificate of Public Administration from the University of Canberra.

[5] Information provided with respect to APSC organisational positions as at the time of the retirement of the previous APSC Commissioner (13 February 2026)

Branch Functions

APS Academy and Capability Group

Organisational and Workforce Capability

Assistant Commissioner | Ms Ashley Sedgwick | s 47F **|** s 47F

The Organisational and Workforce Capability Branch looks at future APS capability needs and support agencies to address them. The Branch sits within the APS Academy and plays a central role in shaping and enabling capability development across the APS.

The Branch delivers the Capability Review Program. Capability reviews are independent, and support agencies to uplift their capability to meet future objectives and challenges. Under the PS Act, all departments of state plus the Australian Taxation Office, Services Australia and the Commission are required to participate in a review every five years. Reviews are led by a mix of independent and senior APS reviewers, supported by a small team from the APSC. The Branch facilitates 3-4 capability reviews each year.

The Branch supports the development and delivery of targeted capability building initiatives across all the Professions to support holistic workforce planning for their relevant capabilities. The Commissioner is the Head of APS Professions and has overall governance responsibility for the Professions model. There are currently six established professions – Human Resources, Data, Digital, Procurement and Contract Management, Complex Project Management, and Evaluation.

The Branch supports the Capability and Workforce Committee by providing secretariat support and undertaking projects on its behalf. The purpose of this committee, co-chaired by the Commissioner, is to provide advice to Secretaries Board on opportunities to build and retain APS workforce capability and meet APS workforce challenges.

The Branch provides secretariat support for the APS Learning Board, an advisory body guiding APS-wide capability transformation. The branch leads the implementation of the APS Learning and Development Strategy and Action Plan. It delivers core functions for the APS Academy including data and reporting, evaluation and quality assurance of its learning products with APS, and state and territory colleagues on L&D priorities.

People Insights

Assistant Commissioner | Dr Nicole Steele | s 47F

The People Insights Branch provides the evidence base to inform APS workforce policies, strategies, and practices. It collects and provides insights from data relating to the APS workforce, including employee perception data through the APS Employee Census, and HR data through the APS Agency Survey, APS Employment Database (APSED) and

Remuneration Survey. The Branch also collects data from Australians to assess trust and satisfaction with Australian public services, democracy, and public institutions. The Branch has a small evaluation and economic analysis function.

The Branch supports the APS Commissioner to meet their statutory obligation under the PS Act to present a report to Parliament each year on the state of the APS, known as the State of the Service Report.

The Branch manages the Workforce Metrics Modernisation program that aims to address current APSED functionality challenges by building a new database on modern architecture, streamlining the current manual processing and reporting.

APS Craft and Learning

Assistant Commissioner | Ms Faye Liu | s 47F

The APS Craft and Learning Branch is responsible for developing capabilities in 5 of the 6 areas of APS Craft (the cores skills of APS to deliver for government): Integrity; Working in Government; Strategy, Policy and Evaluation; Implementation and Services; and Engagement and Partnership. The responsibility of the development of the sixth APS Craft, Leadership and Management, sits within the Leadership and Talent Development Branch.

A current additional area of capability focus is in the safe and effective adoption of Artificial Intelligence in the APS, as part of the *AI Plan for the Australian Public Service*.

As part of its central position in the learning and development system, the Branch has a role leading learning and development across the broader APS system, bringing a whole-of-APS approach to capability development to reduce duplication, support consistency and drive high performance.

The Branch manages a number of digital platforms such as APS Jobs, Career Pathways and Career Pathfinder that serve as the front-door to a career in the APS and helps grow critical skills and capabilities.

Leadership and Talent Development

Assistant Commissioner | Ms Kate Boxsell | s 47F

The Leadership and Talent Branch supports the Commissioner to strengthen leadership across the APS, contributing to a more innovative, delivery-focused and values-led public service, as part of delivering the functions of the APS Academy. The Branch supports the Commissioner in the exercise of statutory functions under the PS Act.

Over more than a decade, the Branch has built a significant APS system asset combining longitudinal data, strong relationships with senior leaders and a growing network of APS practitioners who both learn from and contribute to the system. This provides a strong platform for understanding APS-wide leadership capability and supporting mobility, succession and cultural improvement across the service.

The Branch supports the Secretaries and the Deputy Secretaries Talent Councils to design and deliver evidence-based talent processes that identify, develop and deploy senior talent

where it can best serve the system, contributing to a stronger and more diverse leadership pipeline.
The Branch also designs and delivers SES leadership programs that support senior leaders to step into new roles and operate effectively in a complex public sector environment. These programs are designed not just to build skills, but to strengthen how leaders think, relate and lead, and to support broader cultural change across the APS.

In addition, the Branch delivers capability at scale through an innovative social learning model that brings managers together, across agencies and locations, to learn collaboratively, build capability and strengthen networks. This approach currently focuses on middle managers, who play a critical role in shaping culture, performance and staff experience, and underpins the APS Graduate Development Program.

Together, these interconnected streams, talent, executive leadership development, and learning at scale, position the Branch as both, a capability builder and a system lever, to strengthen leadership pipelines, uplift leadership and management practice, to support cultural change and more effective delivery across the APS.

The Branch also administers APS scholarships and coordinates the Jawun Secondment Program and Alumni Network on behalf of the APS, and supports APS representation on the Sir Roland Wilson Foundation Board and Jawun Board.

Workplace Relations, Integrity and Enabling Services Group

Workplace Relations

Assistant Commissioner | Mr James O'Reilly | s 47F [redacted]

The Workplace Relations Branch provides advice and support to implement the Government's public sector workplace relations agenda.

The Branch assists the Minister to make informed decisions about the policy settings underpinning bargaining in the Commonwealth public sector, including wage increases. In accordance with the *Public Sector Workplace Relations Policy 2023*, the Branch centrally negotiated the *APS Bargaining Statement of Common Conditions* that are reflected in over 100 APS enterprise agreements.

The Branch will again undertake a service-wide bargaining process in 2026 under a refreshed Workplace Relations Policy, to replace APS enterprise agreements that reach their nominal expiry dates on 28 February 2027.

The Branch administers the SES Cohort policy and collects data and reports to the Minister about APS agencies' compliance with Policy.

The Branch provides secretariat functions and advice to support the APS Consultative Committee and represents the Commonwealth in Australian Defence Force remuneration matters, including before the Defence Force Remuneration Tribunal.

Enabling Services

Assistant Commissioner | Mr Robert Twomey | s 47F [redacted]

The Enabling Services Branch plays a key stewardship role in supporting the Commission to achieve its purpose and strategic priorities. It provides strategic advice and essential operational services to the Executive Board and the broader Commission workforce.

The Branch's functions underpin the effective and efficient delivery of the Commission's work through appropriate governance, sound financial management, integrated planning, and robust assurance and reporting mechanisms. Through these foundations, the Branch enables informed decision-making, organisational cohesion and clear line-of-sight between strategy, resources and performance.

The Branch provides Commission staff with specialist services and guidance across workforce planning, capability uplift, health, safety and wellbeing, risk management, procurement, accommodation and facilities management, and financial management practices. The Branch also delivers secure ICT services that enable the Commission to operate confidently in a digital environment, while supporting the Senior Executive in managing its engagement with Parliament and external scrutineers. In addition to its internal service delivery role, the Branch is responsible for managing whole-of-APS surge functions that support APS-wide crisis response and major operational demands across government.

The Branch fosters a culture of continuous improvement, emphasising innovation and client-centred approaches to business processes. It is committed to delivering services that are fit for purpose, aligned to organisational needs, and recognised as adding value across the Commission.

General Counsel and Integrity Operations

General Counsel and Assistant Commissioner | Ms Melanie McIntyre | s 47F [redacted]

The General Counsel and Integrity Operations Branch includes a full service in-house legal practice serving the APS Commissioner and Parliamentary Service Commissioner, the Merit Protection Commissioner and the Parliamentary Service Merit Protection Commissioner, the Remuneration Tribunal, and the Defence Force Remuneration Tribunal. The Branch supports its internal clients through providing timely, accurate advice on a diverse array of legal and technical issues.

The Branch manages all legal services for the Commission, including the procurement of external legal services when required, in accordance with policies developed to guide decision making about when obtaining external legal advice is appropriate. It also holds the responsibility for the Commission's compliance with the *Freedom of Information Act 1982*, the *Privacy Act 1988*, the *Public Interest Disclosure Act 2013* and legislation co-ordination including instructions on drafting of subordinate legislation.

The Branch liaises extensively with the legal areas of other agencies across the Commonwealth and leads the Commission in developing corporate, strategic and tactical

legal initiatives and managing legal risk. This includes providing senior management with effective and practical advice on legal risk mitigation strategies.

The Branch works in partnership with the Integrity, Performance and Employment Policy Branch in upholding high standards of integrity and conduct by undertaking Code of Conduct inquiries in accordance with the Commissioner's functions under the PS Act. This includes both own-motion inquiries for current and former secretaries, agency heads and statutory office holders, and where requested, Code of Conduct inquiries of APS employees. It also has a partnership role on evaluation and assurance activities relating to institutional integrity.

Integrity, Performance and Employment Policy

Assistant Commissioner | Ms Kylie Barber | s 47F [redacted]

The Integrity, Performance and Employment Policy (IPEP) Branch supports the Commissioner in the exercise of their statutory functions under the PS Act and subordinate legislation to uphold high standards of integrity and conduct in the APS, including promotion, advice, evaluation and assurance activities in relation to the APS Employment Principles, APS Values and Code of Conduct.

The Branch plays a lead role in the design and implementation of the integrity and employment framework under the PS Act. This work includes the development and delivery of policy, guidance and implementation advice on employment and integrity matters, including the administration of the Commissioner's Directions and the Rules where relevant.

The Branch also provides cornerstone advisory services to agencies and APS employees (including the Employment Policy Advisory Service and the Ethics Advisory Service) and administers the compulsory transfer of staff in Machinery of Government changes. The Branch also provides consultation functions related to all SES Code of Conduct matters in the APS under the *Australian Public Service Commissioner's Directions 2022*.

Engagement and Communications

Executive Director | s 47F [redacted] | s 47F [redacted]

Media: s 47F [redacted] | media@apsc.gov.au

The Engagement and Communication Branch delivers strategic communication and engagement services to the Commission, APS and agency ministers. The Branch supports the APS Commissioner with APSC staff engagement, events and messaging, and advice and support for media, issues management, statements, speeches, events and social media. The Branch also supports the Minister and Assistant Minister with media management, event opportunities, speeches and content to support a variety of ministerial engagements, where appropriate.

The Branch drives communication and engagement strategies that support the APSC to uphold its statutory functions under the PS Act. This includes promoting the APS Values, Code of Conduct and Employment Principles, and building a pro-integrity culture; strengthen workforce management and engaging the APS on workforce matters; promoting APSC capability programs and offerings; and building a culture of learning.

The Branch has strong engagement and reach across the APS using established channels and a networked approach leveraging all APS communication teams. Channels include the Commission's multiple websites, social media with over 200K followers, newsletters and direct emails to all APS staff. The Branch delivers APS-wide events including the State of the Service Roadshow Series, and APS200 events for Secretaries, agency heads and SES Band 3s.

Diversity, Tribunals, International and Planning

Workforce Planning and Tribunals

Assistant Commissioner | Mr Matthew Bowd | s 47F |
s 47F

The Workforce Planning and Tribunals Branch provides secretariat support, policy analysis, research and advice to the Remuneration Tribunal and the Defence Force Remuneration Tribunal.

The Remuneration Tribunal determines the remuneration of Commonwealth statutory offices, parliamentarians, the federal judiciary and departmental secretaries. The Defence Force Remuneration Tribunal determines the salary and relevant allowances of members of the Australian Defence Force.

The Branch also progresses APS workforce planning policy, providing policy leadership and stewardship to strengthen workforce planning and strategy across the APS. This includes supporting agencies through the APS Centre of Excellence for Workforce Planning and workforce data analysis.

The AI Workforce Planning Taskforce supports delivery of the People pillar of the *AI Plan for the Australian Public Service*. The Taskforce leads the development and deployment of an APS-wide, AI-enabled workforce planning solution that provides a system-wide view of APS capability and advances agency workforce planning maturity. The Taskforce also develops a structured workforce transformation and change approach to support agencies through AI-driven workforce transition.

Diversity, Inclusion and Pathways

Assistant Commissioner | Dr Steven Munns | s 47F

The Diversity, Inclusion and Pathways Branch has two roles. Firstly to steward the APS in fostering a diverse, inclusive and psychologically safe workforce. Secondly to deliver APS-wide Australian Government Support Pathways Programs and associated capability building.

The diversity, inclusion and wellbeing functions strive to steward the APS in fostering an inclusive and psychologically safe workforce. This includes setting the standard as a model employer by building a mentally healthy APS which represents people of all ages, cultural

backgrounds, and disabilities, and First Nations people, LGBTIQA+ people, and people who consider themselves to be neurodivergent. Reflecting the community enables the APS to deliver better informed policy and services and is a function of the Commissioner role under s41(2)(d) of the PS Act.

The Branch's Supported Pathways function contributes to the whole-of-APS approach to entry-level and graduate pathways into the APS. It delivers two of the 10 APS-wide Australian Government Supported Pathways Programs. The function manages end-to-end attraction and recruitment to the program, as well as ongoing program management and cross-APS workforce development and capability.

Disability Royal Commission Taskforce

Assistant Commissioner | Mr Ed Hollicky (secondee from NDIA) | s 47F [redacted]

The Disability Royal Commission Taskforce has been established to support the delivery of work to achieve recommendations from the Disability Royal Commission. The Taskforce will serve as the first of three intended horizons of work and will operate over the next 12 months to deliver on 11 identified projects that will support the achievement of two of the five recommendations.

The Taskforce is comprised of two teams with 13 secondees from across the APS. The teams include the Data, Definitions and Employment Policy Team, and the Workplace Adjustments and Capability Uplift Team. While the Taskforce reports directly to the FAC of the Diversity, Tribunals, International and Planning Group, it sits alongside and works in collaboration with the Diversity, Inclusion and Pathways Branch that will retain the overall policy remit on disability in the APS.

International

Executive Director | s 47F [redacted]

The International Branch supports the Commission's role in strengthening Australian public institutions and contributing to whole of government efforts to build a region that is secure, stable and economically strong.

The Commission's international engagement ultimately aims to help position the APS workforce to deliver for the future, including by developing and modelling global best practice.

The Commission pursues three broad objectives in its engagement with international partners:

- Contribute to whole-of-government efforts to support partners 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 by collaborating with partners on emerging challenges.

- Ensure the Commission remains at the forefront of best practice public administration by scanning the international environment and marshalling global experience, expertise and best practice to inform the Commission's policies, practices and procedures.

Organisational Overview

Our People

As at 30 April 2026, the Commission had 373 employees (head count), representing a 9.5 per cent decrease from 412 employees at 30 June 2025. These figures exclude casual employees.

As at 30 April 2026, the Commission engaged 41 casual employees, compared with 45 at 30 June 2025, primarily delivering services through the APS Academy.

The Commission's workforce has reduced by 60 FTE since 1 July 2025 to align the organisation and staff profile to its statutory responsibilities and the priorities of Government following a reduction in appropriation funding. As at 7 May, the Commission had 341 FTE.

Table 1: APSC staffing overview as at 30 April 2026

Location	**% of Staff (Casuals removed)**	**% of Staff (Casuals included)**
ACT	64.6%	60.6%
NSW	13.3%	13.5%
QLD	7.2%	8.7%
SA	2.2%	2.8%
TAS	1.4%	1.2%
VIC	8.9%	10.0%
WA	1.9%	2.7%
Overseas	0.5%	0.5%

Locations

The Commission has three offices:

- National Office, Treasury Building, Parkes
- Sydney Office, George Street, Sydney, and
- APS Academy training rooms, Museum of Australian Democracy at Old Parliament House, Parkes.

The Executive Board has recently approved changes to the Treasury building floor designs after extensive consultation with staff. This will result in consolidation of groups and establishing dedicated training facilities for the APS Academy. These changes will enable the Commission to vacate the lease at the Museum of Australia Democracy.

The APS Academy has been delivering a pilot program in two regional Campuses under a program funded to the end of 2026:

- University of Newcastle, Newcastle
- James Cook University, Townsville.

The Commission enables access to flexible work, allowing for the employment staff across Australia (Section 5 (Title 158-160) of the 2024-27 Enterprise Agreement).

Overview of Financial Position

Departmental funding

The Commission's activities are funded by a combination of departmental appropriation and fee-for-service revenue (around 65 per cent and 35 per cent of 2025-26 funding respectively). The Commission's funding and Average Staffing Level (ASL) profile in recent and future years is set out in Table 2.

Table 2: Departmental resourcing (Program 1.1)

	2024-25 Actual	2025-26 Estimated Actual	2026-27 Budget	2027-28 Forward estimate	2028-29 Forward estimate	2029-30 Forward estimate
	$m	$m	$m	$m	$m	$m
Departmental appropriation	67.2	58.8	52.7	50.6	51.5	49.6
Fee for service revenue	31.3	31.6	31.6	31.6	31.6	31.6
Operating budget	**98.5**	**90.4**	**84.3**	**82.2**	**83.1**	**81.2**
Capital budget	1.0	0.4	0.4	0.5	0.5	0.5
Average staffing level (no.)	403	386	340	327	327	322

As per 2026-27 Portfolio Budget Statements.

The APSC's funding in 2026-27 has been impacted by the following:

- Extension of funding for Capability Reviews measure providing funding of $7.4 million over four years (and $1.8 million per year ongoing). The measure provides for 10.3 ASL and $1.7 million in 2026-27.
- Extension of funding for Workplace Bargaining Reviews measure providing funding of $11.8 million over four years (and cyclical funding ongoing). The measure provides for 15 ASL and $4.2 million in 2026-27.
- Implementation of the Artificial Intelligence Plan for the APS measure providing funding of $20.8 million over four years from 2025-26 (and $0.4 million per year ongoing). The measure provides for 9.5 ASL and $6.0 million in 2026-27.
- Further Reducing Spending on Consultants, Contractors and Labour Hire, and Nonwage Expenses savings measure of $5.1 million over four years from 2025-26 ($1.7 million in 2026-27).

The Commission's funding has reduced from 2024-25 to 2026-27 due to terminating measures, primarily relating to APS Reform and digital traineeships. The Commission has implemented a number of actions in 2025-26 to ensure it operates within its budget allocation, including ceasing and consolidating some functions, aligning roles to critical priorities, redeploying some teams and individuals, and offering voluntary retrenchments.

Fee-for-service revenue

Fee-for-service revenue is earned from Australian Government entities for the delivery of agreed services on a full cost-recovery basis, consistent with government charging and cost-recovery policy. Fees are set to recover the actual cost of service delivery and are not intended to generate a profit.

Revenue is primarily associated with APS Academy learning and executive development offerings. Other revenue generating activities include provision of the APSJobs recruitment platform, capability reviews and international assistance provided on behalf of the Department of Foreign Affairs and Trade.

Fee-for-service revenue provides a flexible funding mechanism that enables the Commission to scale demand-driven activity, respond to emerging priorities, and maintain workforce and delivery capability without increasing reliance on appropriation funding.

Administered funding

The Commission's administered program facilitates the payment of Commonwealth judicial office holders' remuneration, allowances and entitlements. The Commission receives special appropriations for the program, from which the Attorney-General's Department makes payments.

Table 1: Administered resourcing (Program 1.2)

	2024-25 Actual	2025-26 Estimated actual	2026-27 Forward estimate	2027-28 Forward estimate	2028-29 Forward estimate	2029-30 Forward estimate
	$m	$m	$m	$m	$m	$m
Administered payments	4.7	4.9	4.9	4.9	4.9	4.9

As per 2026-27 Portfolio Budget Statements.

Governance Committees

The Commission's strategic direction, priorities and accountabilities are established through a committee structure. The governance arrangements support in upholding public sector principles and values, including legislative and policy requirements for accountability, leadership, transparency, integrity, efficiency and risk management.

Executive Board

The Executive Board is the primary advisory and decision-making body for the Commission. It is chaired by the Commissioner and its members are the Deputy Commissioners, First Assistant Commissioners, the Merit Protection Commissioner and the Assistant Commissioner Enabling Services. A rotating Assistant Commissioner also attends.

The Board exists to determine direction, policy, priorities, and effective economic and ethical operations for the Commission.

There are a number of other committees within the APSC's governance structure. These are:

- **Audit and Risk Committee** provides independent advice and assurance regarding the appropriateness of the Commission's fiscal and performance reporting and systems or risk.
- **Executive Committee** explores priority policy and organisational challenges, shares leadership messages and information on upcoming priorities.
- **Technology, Digital and Data Committee** oversees the integration of effective technology, digital and data practices within the Commission to ensure that they are aligned to objectives and needs.
- **IT Project Board** governs, directs, oversees and monitors the Commission's IT programs and projects.
- **Workplace Relations and Work Health and Safety Committee** serves as a mechanism for consultation and engagement on workplace relations, health and safety matters.

APS Surge Reserve

The Commission is responsible for the management of the APS Surge Reserve, including the administration of reservist lists through the APS Jobs website.

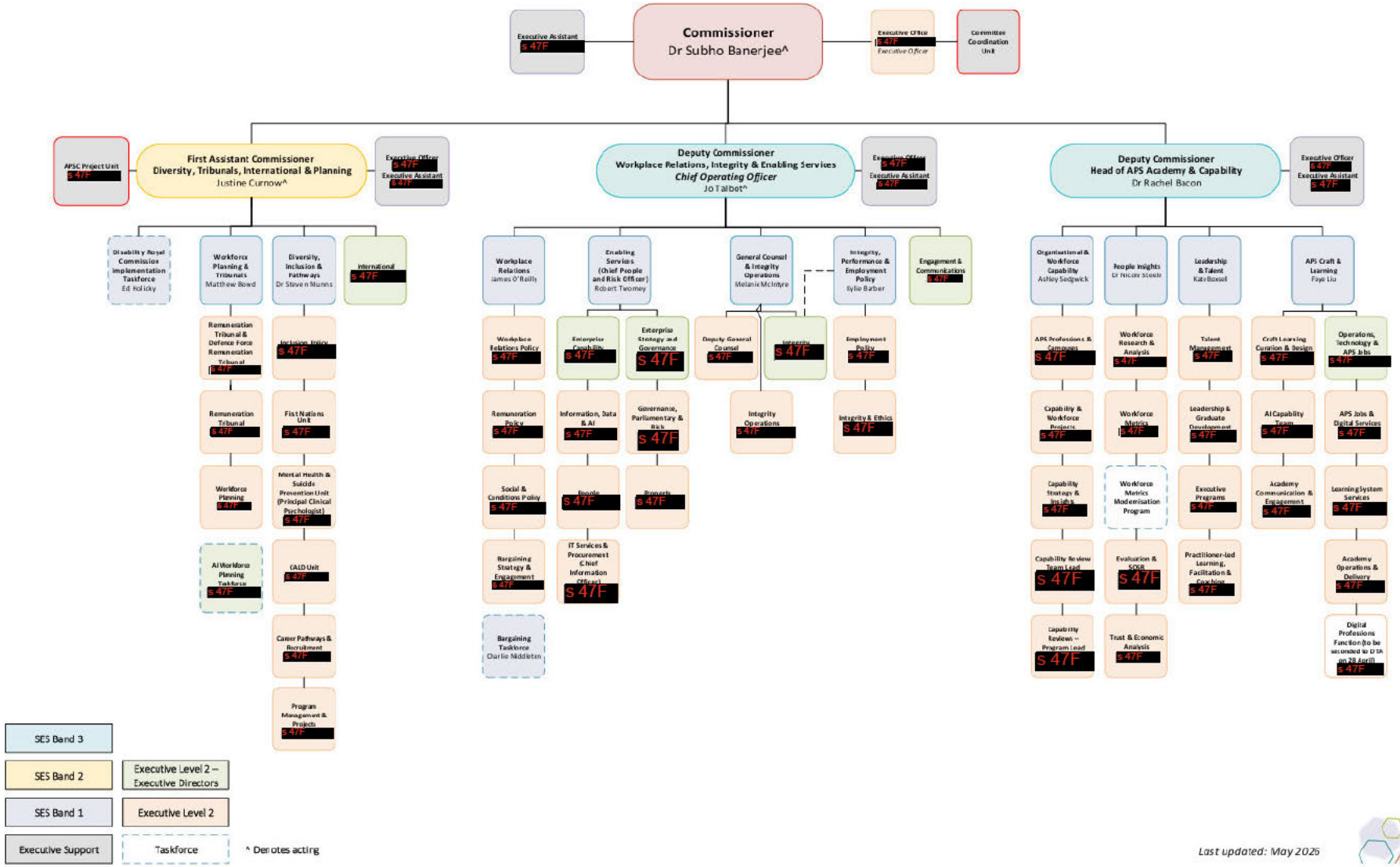
The APS Surge Reserve is designed for short-term deployments of APS staff in circumstances where it would be unreasonable to expect an agency to meet workload demands within existing portfolio resources. The Reserve is open to all interested APS1 to EL2 employees (or equivalents) and provides the APS with a scalable capability to rapidly mobilise staff in response to a crisis.

The APS Surge Reserve is intended to be activated only in extraordinary circumstances, such as pandemics, large-scale natural disasters, or multiple concurrent events requiring whole-of-APS coordination. It is designed to be an option of last resort, where other mechanisms have been exhausted, including agency business continuity and surge arrangements, or existing intra-agency or multi-agency surge agreements (for example, agency MOUs with Services Australia to support call-centre overflow).

The APS Surge Reserve was last formally activated during the flood events in south-east Queensland and New South Wales in 2022. While it has not been activated since that time, registrations continue to grow. The Commission regularly requests surge reservists to review and update their profiles to ensure contact details and availability information remain accurate and up to date.

The Commission coordinates surge requests and provides advisory support to agencies seeking to mobilise APS staff. This includes subject matter expertise, guidance, and engagement to support deployment readiness and business continuity planning.

Attachment A: Organisational Chart as at May 2026



Last updated: May 2026

Attachment B: Key enterprise documents

2026-27 Portfolio Budget Statements	https://www.pmc.gov.au/resources/portfolio-budget-statements-2026-2027
2024-25 Annual Report	https://www.apsc.gov.au/annual-report/australian-public-service-commission-annual-report-2024-25
2025-2029 Corporate Plan	https://www.apsc.gov.au/publication/corporate-plan-variation-2025-29
2025-26 Branch Business plans	s 47E(d) [redacted]
Australian Public Service Commissioner's Directions 2022 (Commissioner's Directions)	https://www.legislation.gov.au/F2022L00088/latest/text
Public Service Regulations 2023 (the Regulations)	https://www.legislation.gov.au/F2023L00368/latest/text
Financial Delegations	s 47E(d) [redacted]
HR delegations	s 47E(d) [redacted] A suite of updated Human Resources and Commissioner's functions delegations is being prepared for your approval.

Attachment C: Headcount by Portfolio and Agency - 31 December 2025

Agency	Function	2025
*Denotes Department of State		
Agriculture, Fisheries and Forestry	Larger Operational	7,012
- Australian Fisheries Management Authority	Regulatory	170
- Australian Pesticides and Veterinary Medicines Authority	Regulatory	235
Attorney-General's	Policy	2,255
- Australian Human Rights Commission	Specialist	201
- Australian Law Reform Commission	Specialist	29
- Administrative Review Tribunal	Smaller Operational	1,097
- Federal Court of Australia	Specialist	1,763
- National Anti-Corruption Commission	Specialist	240
- Office of the Australian Information Commissioner	Regulatory	197
- Office of the Commonwealth Ombudsman	Specialist	338
- Office of the Director of Public Prosecutions	Specialist	492
- Office of the Inspector-General of Intelligence and Security	Specialist	51
- Office of Parliamentary Counsel	Specialist	141
- Office of the Special Investigator	Specialist	4
Climate Change, Energy, the Environment and Water	Policy	6,134
- Bureau of Meteorology	Larger Operational	1,899
- Clean Energy Regulator	Regulatory	464
- Climate Change Authority	Specialist	65
- Great Barrier Reef Marine Park Authority	Specialist	242
- Murray-Darling Basin Authority	Policy	411
Defence	Larger Operational	20,710
- Australian Naval Nuclear Power Safety Regulator	Regulatory	59
- Australian Submarine Agency	Specialist	802
- Defence Housing Australia	Smaller Operational	659
Education	Policy	1,799
- Australian Research Council	Specialist	131
- Tertiary Education Quality and Standards Agency	Regulatory	107
Employment and Workplace Relations	Policy	4,397
- Asbestos and Silica Safety and Eradication Agency	Specialist	19
- Australian Skills Quality Authority	Regulatory	260
- Comcare	Smaller Operational	798
- Fair Work Commission	Smaller Operational	394
- Office of the Fair Work Ombudsman	Regulatory	1,101
- Safe Work Australia	Policy	123

Agency	Function	2025
Finance	Policy	2,184
- Australian Electoral Commission	Larger Operational	1,856
- Digital Transformation Agency	Smaller Operational	347
- Future Fund Management Agency	Specialist	358
- Independent Parliamentary Expenses Authority	Specialist	62
- Parliamentary Workplace Support Service	Specialist	75
- Services Australia	Larger Operational	34,026
Foreign Affairs and Trade	Policy	5,170
- Australian Centre for International Agricultural Research	Specialist	54
- Australian Trade and Investment Commission	Specialist	714
Health, Disability and Ageing	Policy	7,612
- Aged Care Quality and Safety Commission	Regulatory	1,870
- Australian Commission on Safety and Quality in Health Care	Specialist	159
- Australian Digital Health Agency	Smaller Operational	746
- Australian Institute of Health and Welfare	Specialist	712
- Australian Radiation Protection and Nuclear Safety Agency	Specialist	185
- Cancer Australia	Specialist	82
- Food Standards Australia New Zealand	Regulatory	127
- National Blood Authority	Specialist	96
- National Disability Insurance Agency	Larger Operational	11,052
- National Health and Medical Research Council	Specialist	277
- National Health Funding Body	Specialist	34
- NDIS Quality and Safeguards Commission	Regulatory	959
- Office of the Inspector-General of Aged Care	Specialist	22
- Organ and Tissue Authority	Specialist	33
- Professional Services Review	Regulatory	52
Home Affairs	Larger Operational	16,611
- Australian Criminal Intelligence Commission	Specialist	957
- Australian Transaction Reports and Analysis Centre	Regulatory	798
- National Emergency Management Agency	Specialist	424
Industry, Science and Resources	Policy	5,730
- National Offshore Petroleum Safety and Environmental Management Authority	Regulatory	187
Infrastructure, Transport, Regional Development, Communications, Sport and the Arts	Policy	2,345
- Australian Communications and Media Authority	Regulatory	716
- Australian National Maritime Museum	National Cultural Institution	132
- Australian Transport Safety Bureau	Specialist	125
- High Speed Rail Authority	Specialist	24

Agency	Function	2025
- National Archives of Australia	National Cultural Institution	425
- National Capital Authority	Specialist	77
- National Film and Sound Archive of Australia	National Cultural Institution	289
- National Library of Australia	National Cultural Institution	453
- National Museum of Australia	National Cultural Institution	313
- National Portrait Gallery of Australia	National Cultural Institution	65
- Old Parliament House	National Cultural Institution	169
- Screen Australia	Specialist	3
- Sport Integrity Australia	Regulatory	507
Prime Minister and Cabinet	Policy	1,330
- Aboriginal Hostels Limited	Smaller Operational	520
- Australian Institute of Aboriginal and Torres Strait Islander Studies	Specialist	174
- Australian National Audit Office	Specialist	455
- Australian Public Service Commission	Policy	444
- National Indigenous Australians Agency	Policy	1,546
- Office of National Intelligence	Specialist	441
- Torres Strait Regional Authority	Specialist	148
- Workplace Gender Equality Agency	Specialist	55
Social Services	Policy	2,741
- Australian Institute of Family Studies	Specialist	119
- Domestic, Family and Sexual Violence Commission	Specialist	23
- National Commission for Aboriginal and Torres Strait Islander Children and Young People	Specialist	7
Treasury	Policy	2,218
- Australian Bureau of Statistics	Specialist	3,791
- Australian Competition and Consumer Commission	Regulatory	1,882
- Australian Financial Security Authority	Regulatory	476
- Australian Taxation Office	Larger Operational	21,186
- Inspector-General of Taxation	Specialist	23
- Productivity Commission	Specialist	162
Veterans' Affairs	Larger Operational	3,724
- Australian War Memorial	National Cultural Institution	369
All APS		**195,847**

Attachment D: Summary of legislative provisions – Minister and Parliamentary Service Commissioner

Summary of Ministerial Powers as Minister for the Public Service (under the *Public Service Act 1999* unless otherwise stated)

Subsection 24(3)	The Public Service Minister may, by legislative instrument, determine the terms and conditions of employment applying to APS employees, if of the opinion that it is desirable to do so because of exceptional circumstances.
Subsection 33(6)	The Public Service Minister must be consulted by the Merit Protection Commissioner, 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 the Prime Minister or Presiding Officers, for presentation to the Parliament.
Paragraph 41(2)(k)	The Public Service Minister can refer any matter relating to the APS to the Commissioner to review and report on that matter to the Public Service Minister.
Subsection 44A(8A)	The Public Service Minister must cause a copy of a report of a capability review under subsection (1) or (3) to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.
Paragraph 50(1)(c)	The Public Service Minister can request the Merit Protection Commissioner to inquire into an APS action and to report to the Public Service Minister on the results of the inquiry.
Subsection 51(1)	Receive a report from the Merit Protection Commissioner, after the end of each financial year, for presentation to the Parliament, on activities of the Merit Protection Commissioner during the year.
Subsection 53(5)	The Public Service Minister may grant the Merit Protection Commissioner leave of absence, other than recreation leave, on the terms and conditions as to remuneration or otherwise that the Public Service Minister determines.
Subsection 53(6)	The Public Service Minister may determine terms and conditions (if any) for the Merit Protection Commissioner in relation to matters not covered by the PS Act.
Section 55	The Public Service Minister may appoint a person to act as Merit Protection Commissioner to fill a vacancy or during any period when the MPC is absent or unable to perform the duties of the office.
Subsection 64A(3A)	Receive a long-term insight report from the Secretaries Board, as soon as practicable after the report has been completed.

Subsection 64A(3B)	The Public Service Minister must cause a copy of a long-term insight report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.
Subsections 73(1)-(3) PS Act and section 104 of Public Service Regulations 2023	The Public Service Minister may authorise the making of payments, up to a maximum total amount of $250,000, 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 the payments would not otherwise be authorised by law or required to meet a legal liability. Conditions may be attached to these payments. This power can be delegated to APS Agency Heads.
Subsection 78(2)	The Public Service Minister may, in writing, delegate to another Minister any of the Public Service Minister's powers or functions under the PS Act (other than s78 or s24).
Subsection 78(3)	The Public Service Minister may, in writing, delegate to a senior official any of the Public Service Minister's powers and functions under s73 (payments in special circumstances). A 'senior official' is defined in subsection 78(12) as a person who hold an office or appointment under an Act or an SES (or acting SES) employee.

Summary of Ministerial Powers as Minister for the Agency (under the *Public Service Act 1999* unless otherwise stated)

Section 31(3)	The Agency Minister may give a notice in writing to the Agency Head (the Commissioner) in relation to forfeiture of any additional non-Commonwealth remuneration.
Subsection 41C	The Prime Minister may direct the Commissioner to conduct a systems review of any matter relating to an Agency, and receive a report of the review. Any Agency Minister may request the Prime Minister to make a direction to the Commissioner to conduct a systems review in relation to an Agency.
Subsection 44(1)	The Agency Minister must receive from the Commissioner a report on the state of the APS during the year (State of the Service Report), as soon as practicable after the end of the financial year.
Subsection 44(3)	The Agency Minister must cause a copy of the State of the Service Report to be laid before each of the Houses of the Parliament by 30 November after the financial year to which the report relates to.
Subsection 46(5)	The Agency Minister 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 Agency Minister determines the terms and conditions (if any) for the Commissioner in relation to matters not covered by the Act.
Section 48	The Agency Minister may appoint a person to act as Commissioner, to fill a vacancy or during any period when the Commissioner is absent or unable to perform the duties of the office.
Section 78	The Agency Minister may, in writing, delegate to a senior official any of the Agency Minister's powers and functions under the PS Act, other than s78 (delegations).

Parliamentary Services Act 1999

Section 40 – Commissioner's functions

(1) The Commissioner's functions include the following functions:

(a) To give advice to the Presiding Officers on the management policies and practices of the Parliamentary Service;

(b) If requested by the Presiding Officers, to inquire into and report on matter relating to the Parliamentary Service that are specified in the request;

(c) To inquire, subject to the determinations, into public interest disclosures (within the meaning of the Public Interest Disclosure Act 2013), to the extent that the disclosures relate to allege breaches of the Code of Conduct.

(d) Such other functions as are conferred on the Commissioner by this Act, the determinations or any other law;

(e) To do anything incidental to or conducive to the performance of any of the Commissioner's functions.

…..

(4) The Commissioner may, on behalf of the Commonwealth, engage consultants to assist in the performance of the Commissioner's functions.

List of Commissioner's powers – including provisions where the Commissioner must be consulted

Parliamentary Service Act 1999	
Section 11	The Commissioner may give advice to Presiding Officers for the purpose of ensuring the Parliamentary Service incorporates and upholds the Parliamentary Service Values and determining where necessary the scope of application of the Parliamentary Service Values.
Subsection 11B(1)	The Commissioner may give advice in writing to the Presiding Officers about employment matters relating to Parliamentary Service employees including the following: engagement, promotion, redeployment, mobility, training schemes and termination.

Parliamentary Service Act 1999	
Subsection 11B(2)	The Commissioner may give advice in writing to the Presiding Officers for the purpose of: ensuring that the Parliamentary Service Employment Principles and determining where necessary the scope or application of the Parliamentary Service Employment Principles.
Subsection 15(6)	The Commissioner must, by legislative instrument, issue directions for the purpose of paragraph 4(a) – being the basic procedural requirements with which written procedures established by a Secretary must comply – for determining whether a Parliamentary Service employee or former Parliamentary Service employee, has breached the Code of Conduct.
Subsection 20(3)	The Commissioner must be consulted by the President of the Senate, the Speaker of the House of Representatives, or the President of the Senate and the Speaker of the House of Representatives, as the case may be, prior to directions being given for purposes of subsection 20(1) – general directions to Secretaries in relation to the management and leadership of Parliamentary Service employees.
Subsection 23(1)	The Commissioner must be consulted, prior to the Presiding Officers by legislative instrument, making rules about classification of Parliamentary Service employees.
Subsection 27(1)	The Commissioner may, with the agreement of the Presiding Officers, move an excess Parliamentary Service employee to another Parliamentary Department, or with the agreement of the Australian Public Service Commissioner, move a transitional excess Parliamentary Service employee to an APS agency.
Section 38	A Secretary cannot terminate the employment of an SES employee unless the Commissioner has issued a certificate stating that: all relevant requirements of determinations made for the purpose of subsection 11C(1) have been satisfied in respect of the proposed termination; and the Commissioner is of the opinion that the termination is in the public interest.
Subsection 38D(2)	The Presiding Officers cannot terminate an appointment unless they have received a report about the proposed termination from the Commissioner.
Subsection 42(1)	After the end of each financial year, the Commissioner must give a report to the Presiding Officers, for the presentation to Parliament, on the activities of the Commissioner during the year.
Subsection 49(1)	After the end of the financial year, the Merit Protection Commissioner must give a report to the Parliamentary Service Commissioner on the activities of the Merit Protection Commissioner during the year.

Parliamentary Service Act 1999	
Subsection 61(2)	The Presiding Officers cannot terminate an appointment unless they have received a report about the proposed termination from the Commissioner.
Subsection 65AA(4)	The Commissioner may disclose protected information in a report prepared for purposes connected with the performance of the functions or exercise of the powers of the Commissioner under the Act or determinations if the Commissioner is satisfied the disclosure is necessary for the purpose of setting out the grounds for the conclusions and recommendations contained in the report.
Subsection 65AA(5)	The Commissioner may disclose protected information to a person, or the public or a section of the public, if the Commissioner is satisfied the disclosure is in the interests of a Department or a person, or in the public interest; and is not likely to interfere with a review or inquiry under this Act or the determinations.
Subsection 70(1AA)	The Commissioner may, in writing, delegate to a former senior official any of the Commissioner's powers or functions under paragraph 40(1)(c), (related to public interest disclosures).
Subsection 70(2)	The Commissioner may provide written consent to a Secretary for the Secretary to delegate to a person who is not a Parliamentary Service employee any of the Secretary's powers or functions under this Act.
Subsection 71(1)	The Presiding Officers, after consulting the Commissioner may, by legislative instrument, make determinations prescribing matters: required or permitted by this Act (other than Part 9) to be prescribed by determinations; or necessary or convenient to be prescribed by determinations for carrying out or giving effect to this Act (other than Part 9). Part 9 relates to transitional provisions.
Subsection 83(1)	The Commissioner must be consulted by the Presiding Officers before the Presiding Officers can make determinations by legislative instrument on certain matters under the Act.

Additional powers and functions in other legislation

Parliamentary Service Determination 2024	
Section 16	The Commissioner must be consulted before a secretary enters into an agreement to settle a dispute with a current or former Parliamentary Service employee about an allegation of sexual harassment that contains a non-disclosure agreement
Section 17	The Commissioner must be notified by a secretary of the number of agreements entered into in the financial year, that settle an employment dispute with a current or former Parliamentary Service employee, that contain a non-disclosure agreement.
Section 58	An allegation (other than a PID) about conduct that amounts to a breach of the code of conduct by a secretary or statutory office holder that is referred to the Presiding Officers, may be referred by the Presiding Officers to the Commissioner: for advice; or for inquiry and report in accordance with paragraph 40(1)(b) of the Act; and the Presiding Officers may request that the report include recommendations.
Section 97	The Commissioner may inquire into a public interest disclosure to the extent that the disclosure relates to one or more alleged breaches of the Code of Conduct in certain circumstances.

Parliamentary Service Commissioner's Directions 2025	
Subsection 12(1)	A Secretary must consult with the Commissioner on the process for determining whether an SES employee in the relevant Department has breached the Code of Conduct if a person suspects the employee of doing so.
Subsection 12(2)	A Secretary must consult with the Commissioner before the Secretary or delegate imposes a sanction on an SES employee in the relevant Department if: a person determined (under the procedures established under subsection 15(3) or 48A(2) of the Act) that the employee has breached the Code of Conduct; and the Secretary or delegate is considering imposing a sanction on the employee.