



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-298

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	40
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI REQUEST – BUDGET ESTIMATES BRIEFS
Date: Friday, 23 September 2022 4:23:36 PM

Good afternoon,

RE: FOI REQUEST – BUDGET ESTIMATES BRIEFS

I write to request under the *Freedom of Information Act 2016* any final briefs prepared for any ACT Minister(s) or ACT Government witnesses during 2022 Budget Estimates Hearings.

I ask that my request be transferred to other entities that may hold relevant documents. Duplicate documents may be excluded.

Should you require any further information or clarification about my request, please contact my office on [REDACTED].

Best,






ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2022-298



via email: 

Dear 

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 23 September 2022.

Specifically, you are seeking “*any final briefs prepared for any ACT Minister(s) or ACT Government witnesses during 2022 Budget Estimates Hearings*”.

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision within 20 working days of receipt of your application, however following a further 20-day extension granted under section 41, a decision on your access application is due by 21 November 2022.

Decision on access

Searches were completed for relevant documents and 76 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to 72 documents relevant to your request. I have decided to grant partial access to four documents as I consider them to contain information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons, in accordance with section 54(2) of the Act. The documents released to you are provided as **Attachment B** to this letter.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act
- the content of the documents that fall within the scope of your request
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

What is the Public Interest?

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it [public interest] appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure in the public interest under schedule 2.1:

(a) disclosure of the information could reasonably be expected to do any of the following:

- (i) Promote open discussion of public affairs and enhance the government's accountability.*
- (ii) Contribute to positive and informed debate on important issues or matters of public interest.*
- (iii) Inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*
- (iv) Ensure effective oversight of expenditure of public funds.*

Having reviewed the information requested, I consider the release of briefs used in Budget estimate hearings could or would reasonably be expected to contribute to discussion of public affairs and enhancing the government's accountability.

I also consider the information contained in the briefs being released could or would reasonably inform the community of government operations including those undertaken by WorkSafe. Most significantly, I consider the information released assists the community to understand how public funds have been spent.

All factors identified in favour of release carry significant weight.

Factors favouring nondisclosure in the public interest under schedule 2.2:

(a) *disclosure of the information could reasonably be expected to do any of the following:*

- (i) *Prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*
- (x) *Prejudice intergovernmental relations.*
- (xvi) *Prejudice a deliberative process of government.*

I consider that the protection of an individual's right to privacy, is a significant factor in the release of this information. Contact details for some ACT public servants have been removed as I consider that the release of this information could impact their right to privacy. This, in my opinion, outweighs the benefit which may be derived from releasing the personal information of staff involved.

I therefore weigh the factor for nondisclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of this information (contact phone numbers only) could prejudice their right to privacy under the *Human Rights Act 2004*.

Some information contained in briefs could or would reasonably be expected to prejudice a deliberative process of government at this time, in addition to intergovernmental relations. Ongoing activities such as enterprise bargaining, development of frameworks could be prejudiced should information be released prematurely. Likewise, exercises concerning national security have been redacted. I weigh these factors heavily and have chosen to redact only those small parts that refer to these issues.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

I have waived fees associated with your access application because under section 107, a Member of the Legislative Assembly is not to be charged a fee for an access application under the Act.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

21 November 2022



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST		Reference NO.
Any final briefs prepared for any ACT Minister(s) or ACT Government witnesses during 2022 Budget Estimates Hearings		CMTEDDFOI2022-298

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-17	3.1 Social Inclusion and CM Charitable Fund	August 2022	Full	n/a	Yes
2	18-28	3.2 Regional Engagement / Planning and infrastructure	August 2022	Full	n/a	Yes
3	29-34	3.3 First Ministers Council, CAF and CCCLM	August 2022	Full	n/a	Yes
4	35-37	3.7 Office of the CG & Non-health Response to COVID-19 in the ACT	August 2022	Full	n/a	Yes
5	38-42	3.5 Wellbeing	August 2022	Partial	Sch 2.2 (a)(xv)	Yes
6	43-46	3.6 Reportable Conduct Scheme and Child Safe Standard	August 2022	Full	n/a	Yes
7	47-56	3.7 Royal Commissions (National)	August 2022	Full	n/a	Yes
8	57-61	3.8 National Security	August 2022	Partial	Sch 2.2 (a)(x)	Yes
9	62-64	3.9 Women and Wellbeing Impact Assessment	August 2022	Full	n/a	Yes
10	65-68	3.10 Cabinet and Document Release inc Government Agreement Progress Report	August 2022	Full	n/a	Yes
11	69-70	3.11 Wellbeing Project and the Policy Innovation Team (future focus on 2022-23 budget)	August 2022	Full	n/a	Yes
12	71-74	3.12 Intersex Project	August 2022	Full	n/a	Yes
13	75-78	3.13 Implementation of the Capital of Equality Second Action Plan and OLGBTIQ	August 2022	Full	n/a	Yes
14	79-100	4.1 Climate Change in the ACT (OCA, ZEV)	August 2022	Full	n/a	Yes

15	101-105	4.2 Big Canberra Battery	August 2022	Full	n/a	Yes
16	106-107	4.3 Sustainable Household Scheme	August 2022	Full	n/a	Yes
17	108-110	4.4 Climate Risk Assessment (future focus on 2022-23 budget)	August 2022	Full	n/a	Yes
18	111-118	5.1 Better Regulation Taskforce	August 2022	Full	n/a	Yes
19	119-121	5.2 Drones	August 2022	Full	n/a	Yes
20	122-127	5.3 AMR	August 2022	Full	n/a	Yes
21	128-130	5.4 Commercial Tenancies	August 2022	Full	n/a	Yes
22	131-134	5.5 Better Regulation (2022-23) targeted years budget and projected achievements	August 2022	Full	n/a	Yes
23	135-136	6.1 Territory Records Office	August 2022	Full	n/a	Yes
24	137-139	6.2 Digital Records For Digital Government	August 2022	Full	n/a	Yes
25	140	2C Contracts and Procurement	August 2022	Full	n/a	Yes
26	141-142	3A Residential Construction	August 2022	Full	n/a	Yes
27	143-144	3D Nous Review Recommendations	August 2022	Full	n/a	Yes
28	145	4 Psychosocial matters (includes PAW)	August 2022	Full	n/a	Yes
29	146-150	5 Silica Regulations and Exemption	August 2022	Full	n/a	Yes
30	151	6 Enforcement Data	August 2022	Full	n/a	Yes
31	152	7 Labour Hire Licensing	August 2022	Full	n/a	Yes
32	153	8 Salesforce Project Status	August 2022	Full	n/a	Yes
33	154	9 Asbestos safety and other hazardous chemicals (inc Mr Fluffy)	August 2022	Full	n/a	Yes
34	155	10 Zurich Financial Services Australia Limited	August 2022	Full	n/a	Yes

35	156	11 Major Investigations	August 2022	Full	n/a	Yes
36	157-179	Budget Estimates Backpocket for EGM Corporate	August 2022	Partial	Sch 2.2 (a)(ii)	Yes
37	180	2022-23 Budget – Ombudsman Funding	August 2022	Full	n/a	Yes
38	181-183	2022-23 Budget – ACT Public Service Workforce - Diversity and Inclusion	August 2022	Full	n/a	Yes
39	184-188	2022-23 Budget – Flexible Work Program – Hub and Spoke Operationalisation	August 2022	Full	n/a	Yes
40	189-191	2022-23 Budget – Establishment of the Office of Industrial Relations and Workforce Strategy	August 2022	Full	n/a	Yes
41	192-193	2022-23 Budget – Secure Employment Framework	August 2022	Partial	Sch 2.2 (a)(xvi)	Yes
42	194-195	2022-23 Budget – Injury Management Finalisation of Cost recovery	August 2022	Full	n/a	Yes
43	196-198	Output 1.2 (variances to targets)	August 2022	Full	n/a	Yes
44	199-200	Output 1.6 (variances to targets)	August 2022	Full	n/a	Yes
45	201	Output – Public Sector Workers Compensation Fund	August 2022	Full	n/a	Yes
46	202-203	Staffing FTE WCAG/WSIR	August 2022	Full	n/a	Yes
47	204-205	Enterprise Agreements update and Bargaining process	August 2022	Full	n/a	Yes
48	206-207	Secure Employment Framework	August 2022	Full	n/a	Yes
49	208-209	ARins	August 2022	Full	n/a	Yes
50	210-211	Office of Industrial Relations and Workforce Strategy	August 2022	Full	n/a	Yes
51	212-213	Response to Industrial Action	August 2022	Partial	Sch 2.2 (a)(xvi)	Yes
52	214-215	Board Processes and Good Governance	August 2022	Full	n/a	Yes
53	216-217	Executive Numbers	August 2022	Full	n/a	Yes

54	218-219	ACTPS staffing Numbers	August 2022	Full	n/a	Yes
55	220-221	ACTPS Survey	August 2022	Full	n/a	Yes
56	222-224	Strategy and Transformation Office	August 2022	Full	n/a	Yes
57	225-228	Secure Local Jobs Code general operations	August 2022	Full	n/a	Yes
58	229-231	Government Procurement (Ethical Treatment of Workers Evaluation)	August 2022	Full	n/a	Yes
59	232-234	Workforce Diversity and Inclusion	August 2022	Full	n/a	Yes
60	235-237	ACTPS Graduate Program	August 2022	Full	n/a	Yes
61	238-239	Systemic Racism	August 2022	Full	n/a	Yes
62	240-241	Future of Work	August 2022	Full	n/a	Yes
63	242-243	Veterans Employment	August 2022	Full	n/a	Yes
64	244-245	ACTPS Leadership and Talent	August 2022	Full	n/a	Yes
65	246-248	Learning and Development	August 2022	Full	n/a	Yes
66	249-250	ACTPS Workforce Gender Equity	August 2022	Full	n/a	Yes
67	251-252	Innovation	August 2022	Full	n/a	Yes
68	253-255	Integrity Commission update	August 2022	Full	n/a	Yes
69	256-258	Workplace Values and Behaviours	August 2022	Full	n/a	Yes
70	259-260	Silica and Associated Regulatory Matters	August 2022	Full	n/a	Yes
71	261-262	Dhulwa Inquiry (Chair and expert panel appointments process)	August 2022	Full	n/a	Yes
72	263-264	Education Directorate WHS Matters	August 2022	Full	n/a	Yes
73	265-266	Strengthening WHS Audit Matters	August 2022	Full	n/a	Yes

74	267	Public Sector Workers Compensation Fund	August 2022	Full	n/a	Yes
75	268-269	COVID Safety in our Office Spaces	August 2022	Full	n/a	Yes
76	270-272	COVID-19 workforce response	August 2022	Full	n/a	Yes
Total No of Docs						
76						

ISSUE: SOCIAL INCLUSION AND CHIEF MINISTER'S CHARITABLE FUND

Talking points:

- The Chief Minister's Charitable Fund (CMCF) was established with funding from the ACT Government to provide support to some of the most vulnerable members of our community.
- The CMCF distributes funds to charities and community organisations within the ACT through grants rounds, often in partnership with other philanthropic organisations.
- The CMCF is governed by an independent board and administered by Hands Across Canberra (HAC).
- HAC was selected to administer the CMCF as a local organisation that is not only fully independent of government, but whose core business is encouraging philanthropy across the Territory, actively building and leveraging partnerships with other charitable and fundraising organisations, and capacity building for local charities.
- The CMCF takes a collaborative approach to meeting community need through the operation of its grants program by building partnerships with charities, business and government; and cooperating with other organisations and individuals to increase the pool of funds available to support projects.
- The 2022-23 Budget provides additional support to the CMCF. An additional one-off grant of \$750,000 is being provided to support the CMCF to purchase land for charity house projects that will generate additional funding available for local charities.

Key Information

2022-23 Budget

- The 2022-23 Budget provides additional support of \$750,000 in grant funding in 2022-23.
- The additional funding is provided to support the CMCF to purchase land that can be used for charity house projects. Charity House projects draw on free contributions for government, industry groups and businesses such as builders and suppliers to

develop a home that can be sold, with the proceeds then flowing back to local charities.

- Hands Across Canberra, which administers the CMCF, has developed a number of successful charity house projects in the ACT previously and has one project currently underway in Gininderry.
- A timeframe for developing the charity house project supported by the 2022-23 Budget has not been set. The Government is not expected to have any further role in the project beyond the provision of grant funding.

How the CMCF operates

- The CMCF was established through a grant from the ACT Government of \$5 million to a new not for profit company limited by guarantee called the 'Chief Minister's Charitable Fund Ltd'.
- Following amendments to the *Gaming Machine Act 2004* (ACT) that came into effect on 1 July 2019, an additional 0.4 percent per annum of net gaming revenue is being collected by the ACT Gambling and Racing Commission through the community contributions scheme and transferred to the CMCF.
- The arrangement with Hands Across Canberra to administer the CMCF is governed by a three-year renewable funding deed.
- The CMCF is governed by a voluntary board that is independent of government.
- The Director-General of the Community Services Directorate is the ACT Government Observer to the CMCF. The appointment is ex-officio and will remain in force until revoked. The Observer has no role in decision-making.
- The ACT Government Observer may attend all CMCF Board meetings and be provided Board papers, unless a conflict of interest arises. The Observer (or their delegate) is also the Chief Minister's representative on the Board Nominations Committee.

Use of funds

- Under the funding agreement for the CMCF, a limited portion of funding can be used for administrative expenses.
- The Deed of Grant at establishment, in line with industry norms, provided for a 30 per cent Expense to Disbursement Ratio to be adopted for the first 3 years. This equated to a limit of \$125,000 per annum for general administration (with disbursements expected to be \$417,000 per annum).
- There was also an additional \$100,000 allowed for expenses in the first year of operation of the fund due to the need to establish the necessary governance arrangements, systems, procedures, and marketing strategy.

- As additional funding is now directed to the CMCF, and CMCF is continuing to work on building the pool of funds in the ACT for giving and social welfare purpose and support of a culture of private sector philanthropy in the ACT, the maximum funding amount per annum for administration expenses has been set at \$250,000.
- This maximum funding amount per annum for administration represents both:
 - a percentage of amount disbursed in line with standard practice; and
 - recognition of continued capacity building of the charitable sector and development of the philanthropic network in the ACT.

CMCF's distribution of funds to the community: 2018-2021

- The CMCF initially distributed \$461,206 through grants to local community projects in 2018-19.
- The CMCF distributed a further \$227,800 in grants in 2019-20 with \$496,893 carried over to the 2020-21 financial year for distribution as part of the Canberra Relief Appeal.
- In the 2020-21 financial year the CMCF distributed and approved \$1,070,118 in grants to the local community.
- Information about who has received grants may be found below, and is also available on the Hands Across Canberra website at <https://handsacrosscanberra.org.au/who-we-are/about-cmcf>.
- In the 2021-22 financial year the CMCF partnered with other local community foundations to deliver joint funding through the *Canberra Foundations Collaborative (CFC)*. The collaboration is formed by CMCF, HAC, the John James Foundation, the Snow Foundation, the Aspen Foundation and Aspen Medical.
- The CMCF contributed almost \$400,000, of the total amount of funding awarded for the 2021-22 CFC.
- In the 2021-22 CFC grant round, 171 applications were received, and 71 projects were awarded funding with each CMCF-funded project receiving around \$10,000 to \$25,000, depending on size and need

CMCF Business Plan

- The CMCF *Business Plan 2021 – 2024* (the Plan) outlines the future strategy and business plan details for the ongoing administration of the CMCF. The Plan includes detailed strategies, activity plans, measures and KPIs, strategic risks and financial outlook for the respective period.
- The Plan emphasises three pillars:

3.1

- Awareness - supporting areas of highest need in the ACT community, such as mental health and wellbeing; domestic and family violence; homelessness; children, youth and families; Aboriginal and Torres Strait Islanders; LGBTIQ+; and persons with disability.
- Partnership – use of collaborative engagement strategies to create partnership opportunities and work with charities to build capacity and support so that they can continue their vital work.
- Giving – using community consultation processes to establish priorities for directing grants and support. In addition, looking at innovative support avenues, in partnership with others, to increase overall community impact.

Organisations funded through CMCF grants to date (including co-funded projects)

Organisation	Project Title	Amount	Year granted	Grant Round / Funding Foundation
Ability.News	Ability News Journalism	\$90,000	2021-22 (CFC)	CMCF/HAC, John James Foundation, and The Snow Foundation
Doris Women's Refuge	Assistance for DFV-affected women and children from CALD backgrounds	\$25,000	2021-22 (CFC)	CMCF/HAC, The Snow Foundation, and The Aspen Foundation
Kulture Break	Creative Pathways to Employment	\$27,500	2021-22 (CFC)	CMCF/HAC, The Snow Foundation, and The Aspen Foundation
Mental Illness Education ACT	Thriving Minds: Empowered Futures	\$65,000	2021-22 (CFC)	CMCF/HAC, The Snow Foundation, and The Aspen Foundation

3.1

Better Renting	The Renter Centre	\$25,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Canberra Community Law	Disability Advisory Group Pilot Project	\$25,000	2021-22 (CFC)	CMCF/HAC and The Aspen Foundation
Canberra PCYC	South Side Mower Shed – equipment	\$35,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Capital Region Community Services	Youth Space in Westfield Belconnen	\$15,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
HOME in Queanbeyan	Kitchen equipment	\$18,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Roundabout Canberra	Corporate Volunteering	\$20,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
The Farm at Galong	Social Enterprise Project	\$24,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Toora Women Inc	The Complexity Centre	\$70,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Women's Health Matters	Promoting women's health and wellbeing in the AMC	\$45,000	2021-22 (CFC)	CMCF/HAC, The Snow Foundation, and The Aspen Foundation

3.1

Youth Coalition of the ACT	Evaluation of the ACT Youth Worker Practice Network	\$20,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
YWCA Canberra	Domestic Violence Brokerage	\$35,000	2021-22 (CFC)	CMCF/HAC and The Snow Foundation
Barnardos Australia	Queanbeyan Family First	\$20,000	2021-22 (CFC)	CMCF/HAC
Canberra Refugee Support Inc	Economic empowerment for women from refugee and asylum seeker backgrounds	\$15,000	2021-22 (CFC)	CMCF/HAC
Canberra Refugee Support Inc	Inclusion for children from refugee and asylum seeker backgrounds through sports and recreation	\$5,000	2021-22 (CFC)	CMCF/HAC
Forcibly Displaced People Network	Increasing resilience and community connections for LGBTIQ+ forcibly displaced people	\$10,000	2021-22 (CFC)	CMCF/HAC
HelpingACT	Homebridge	\$5,000	2021-22 (CFC)	CMCF/HAC
Lions Youth Haven Inc.	Lions Community Garden	\$10,000	2021-22 (CFC)	CMCF/HAC
Marymead	Youth in Need	\$10,000	2021-22 (CFC)	CMCF/HAC

3.1

Print Handicapped Radio of the ACT Inc	Radio1RPH community engagement	\$10,000	2021-22 (CFC)	CMCF/HAC
Riding for the Disabled of ACT Incorporated	Farm Skills Program	\$9,317	2021-22 (CFC)	CMCF/HAC
Stepping Stone Social Enterprise Limited	Stepping Stone Social Enterprise Training Program	\$10,000	2021-22 (CFC)	CMCF/HAC
The Early Morning Centre	Furniture replacement	\$5,000	2021-22 (CFC)	CMCF/HAC
The Girls Leadership Network	The Girls Leadership Network	\$5,000	2021-22 (CFC)	CMCF/HAC
The Salvation Army	Oasis Youth Services, upgrade/convert existing infrastructure	\$15,000	2021-22 (CFC)	CMCF/HAC
This Is My Brave Australia Inc.	Community Mental Health and Wellbeing project.	\$5,000	2021-22 (CFC)	CMCF/HAC
UnitingCare Kippax	Winter Relief kit Stay safe and stay warm	\$8,000	2021-22 (CFC)	CMCF/HAC
Woden Community Service	The Community Placemaking Program	\$20,000	2021-22 (CFC)	CMCF/HAC
Yedding Mura (Good Pathways) Aboriginal Corporation	Ex-detainees as Peer Support leaders to support	\$10,000	2021-22 (CFC)	CMCF/HAC

3.1

	detainees released from AMC			
Abbeyfield Garran Inc	Abbeyfield Garran lounge room update	\$8,000	2020	CMCF Spring 2020
Arthritis ACT	Art Therapy	\$8,000	2020	CMCF Spring 2020
Australian Capital Territory Council of Social Service Inc	Building Digital Capacity for Transformational Service Delivery	\$10,000	2020	CMCF Spring 2020
Australian Kookaburra Kids Foundation	Activity Days for Young People living with Familial Mental Illness	\$10,000	2020	CMCF Spring 2020
Barnardos Australia	Queanbeyan Homework Club	\$10,000	2020	CMCF Spring 2020
Better Renting	Protecting vulnerable renters from unfair rental contracts	\$8,700	2020	CMCF Spring 2020
Canberra Community Law Limited	Dhurrawang AMC Legal Clinic	\$10,000	2020	CMCF Spring 2020
Canberra Refugee Support Inc	Canberra Refugee Support Scholarships.	\$10,000	2020	CMCF Spring 2020
Cerebral Palsy Alliance	GaitRite: physiotherapy equipment for people with	\$10,000	2020	CMCF Spring 2020

3.1

	disability in Canberra			
Council on the Ageing ACT	Measuring the impact of COVID on the mental health of senior Canberrans	\$6,520	2020	CMCF Spring 2020
Heart Support Australia	Canberra Heart Support Australia Branch	\$4,995	2020	CMCF Spring 2020
Kulture Break	Dance Nation – inclusion and well-being through movement	\$10,000	2020	CMCF Spring 2020
Lifeline Canberra	Lifey Leadership Program	\$10,756	2020	CMCF Spring 2020
Marymead	Sporting Equipment – Young Persons (ages 8 – 13)	\$10,000	2020	CMCF Spring 2020
Mental Illness Education ACT	Parent Hub: Online learning platform	\$10,000	2020	CMCF Spring 2020
Meridian	Meridian Community Garden	\$ 8,000	2020	CMCF Spring 2020
OzHarvest	OzHarvest Canberra Food Rescue	\$10,000	2020	CMCF Spring 2020
Palliative Care ACT	Leo's Place	\$ 9,600	2020	CMCF Spring 2020
Raw Potential	Mobile outreach program for at-risk	\$10,000	2020	CMCF Spring 2020

3.1

	and vulnerable youth			
Rebus Theatre Inc.	Acting Out – On Screen	\$10,000	2020	CMCF Spring 2020
St Vincent de Paul Canberra	The Night Patrol Program, St Vincent de Paul Society Canberra/Goulburn	\$10,000	2020	CMCF Spring 2020
Technology for Ageing and Disability ACT (TADACTION)	Intelicare Home Monitoring System	\$10,000	2020	CMCF Spring 2020
The Farm in Galong	ASES accreditation	\$10,000	2020	CMCF Spring 2020
The Shepherd Centre – For Deaf Children	‘Chime Time’ – a world-first music therapy program for deaf children and their families.	\$10,000	2020	CMCF Spring 2020
UnitingCare Kippax	Health and Wellbeing for all – activity and connection	\$ 7,012	2020	CMCF Spring 2020
Warehouse Circus inc.	Warehouse Circus Inclusive Equipment Purchase	\$ 9,680	2020	CMCF Spring 2020
Women’s Legal Centre ACT	Making legal services accessible for CALD women	\$10,000	2020	CMCF Spring 2020

3.1

Women's Shed	Tutors for Women's Strength and Community	\$ 9,360	2020	CMCF Spring 2020
Yeddung Mura (Good Pathways) Aboriginal Corporation	Crisis Support Program for Aboriginal and Torres Strait Islander detainees and their families	\$10,000	2020	CMCF Spring 2020
YWCA Canberra	Clubhouse Crew Disco's	\$ 9,997	2020	CMCF Spring 2020
ACT Eden Monaro Cancer Support Group	Family Assistance	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Adopt Change Limited	Support for Foster Carers During COVID-19	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Directions Health Services	Service Access for Vulnerable Clients	\$ 9,000	2020	COVID-19 Rapid Response Grant Round
Australian Relief & Mercy Services – Canberra	Pantry Equipment	\$ 6,000	2020	COVID-19 Rapid Response Grant Round
Canberra Refugee Support	Emergency Income Support for Asylum Seekers	\$10,000	2020	COVID-19 Rapid Response Grant Round
Catholic Care Canberra & Goulburn	MacKillop House	\$ 15,000	2020	COVID-19 Rapid Response Grant Round

3.1

Community Services #1	CS#1 Studio Set Up	\$10,000	2020	COVID-19 Rapid Response Grant Round
Companion House Assisting Survivors of Torture and Trauma	Supporting asylum seekers and refugees on temporary visas	\$10,000	2020	COVID-19 Rapid Response Grant Round
Conflict Resolution Service	COVID – 19 Disruption	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Feel the Magic	Virtual Camp Magic ACT	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Greek Orthodox Community & Church of Canberra & District	Project Apollo – Connecting elderly community members	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Guide Dogs NSW/ACT	Critical support for older people in the ACT with blindness or low vision in the time of COVID-19	\$5,000	2020	COVID-19 Rapid Response Grant Round
Hartley Lifecare	Hartley Hall Markets	\$10,000	2020	COVID-19 Rapid Response Grant Round
Havelock Housing	HHA COVID Mental Health Support	\$10,000	2020	COVID-19 Rapid Response Grant Round
KULTURE BREAK	Social Connection	\$8,000	2020	COVID-19 Rapid Response Grant Round

3.1

Lifeline Canberra	Crisis Support Services	\$15,000	2020	COVID-19 Rapid Response Grant Round
Marymead Child & Family Centre	Online with Families	\$10,000	2020	COVID-19 Rapid Response Grant Round
Mental Health Foundation (ACT)	Mobile Home-Based Service Model	\$10,000	2020	COVID-19 Rapid Response Grant Round
OzHelp	OzHelp Service Transitions – COVID-19 Response	\$10,000	2020	COVID-19 Rapid Response Grant Round
Philanthropize Pty Ltd	Adamas Nexus Online	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Print Handicapped Radio of ACT	Support of Radio 1RPH Remote/Home recording and broadcast	\$ 1,900	2020	COVID-19 Rapid Response Grant Round
Queanbeyan Multilingual Centre	Crisis Support for CALD Community	\$10,000	2020	COVID-19 Rapid Response Grant Round
Riding for the Disabled of the ACT	Pegasus COVID-19 remote working grant	\$ 1,500	2020	COVID-19 Rapid Response Grant Round
Soldier On	Soldier On Connect Hub	\$10,000	2020	COVID-19 Rapid Response Grant Round

3.1

The Mill House Ventures	CRN Connect Centre	\$ 8,400	2020	COVID-19 Rapid Response Grant Round
The Shepherd Centre for Deaf Children	'Care in Crisis' – Supporting deaf children in the ACT	\$10,000	2020	COVID-19 Rapid Response Grant Round
This Is My Brave Australia	Mental Health Support	\$ 3,000	2020	COVID-19 Rapid Response Grant Round
UnitingCare Kippax	SPARK Expansion Computer and Data Bank	\$10,000	2020	COVID-19 Rapid Response Grant Round
Woden Valley RSL Subbranch	SIV Program Response to COVID-19	\$ 5,000	2020	COVID-19 Rapid Response Grant Round
Action Aids and AGA	LGBTIQ community - retrofit space for a community clinic	\$ 4,500	2019	CMCF 2019 Grant Round
AIDS Action Council of the ACT	Innovative employment project (working name)	\$30,000	2019	CMCF 2019 Grant Round
Anglicare NSW South, NSW West and ACT	Arawang Emergency Relief Hub Set Up	\$ 4,856	2019	CMCF 2019 Grant Round
Buoyed Up Canberra Yacht Club	Buoyed Up	\$10,000	2019	CMCF 2019 Grant Round
Canberra Community Law	Women in Prison Legal Empowerment Sessions (WIPLES)	\$15,000	2019	CMCF 2019 Grant Round

3.1

Canberra PCYC	Canberra PCYC Youth Engagement Program	\$25,000	2019	CMCF 2019 Grant Round
CatholicCare Canberra & Goulburn	Addressing homelessness in the ACT – Pilot Project	\$20,000	2019	CMCF 2019 Grant Round
Construction Charitable Works	Construction Charitable Works Case Management and Site Talks	\$ 7,500	2019	CMCF 2019 Grant Round
CREATE Foundation	Connecting for Change	\$10,000	2019	CMCF 2019 Grant Round
GetAboutAble Pty Ltd	Accessible Canberra	\$17,000	2019	CMCF 2019 Grant Round
Global Sisters	Building Financial Resilience in Disadvantaged Women	\$10,000	2019	CMCF 2019 Grant Round
Marathon Health	All Hands on Deck	\$ 5,000	2019	CMCF 2019 Grant Round
Marymead	Access Days Project	\$15,000	2019	CMCF 2019 Grant Round
Mental Illness Education ACT Inc	Mental Health 101 – Youth – Digital Program Exemplar	\$15,000	2019	CMCF 2019 Grant Round
OzHarvest	OzHarvest Canberra Food Rescue	\$10,000	2019	CMCF 2019 Grant Round

3.1

Parentline ACT Inc.	Parenting Advice for Vulnerable Parents from a Culturally and Linguistically Diverse Background	\$ 4,900	2019	CMCF 2019 Grant Round
Parentline ACT Inc.	Parenting Outreach Advice at Paint and Plays	\$ 5,000	2019	CMCF 2019 Grant Round
People with Disabilities ACT (PWDACT)	Addressing barriers to employment for people with disabilities	\$20,000	2019	CMCF 2019 Grant Round
Post and Ante Natal Depression Support and Information Inc (PANDSI)	PANDSI Specialised Care Pathways Project (PSCPP)	\$10,000	2019	CMCF 2019 Grant Round
Raw Potential Canberra (YouthCARE Canberra Limited)	Mobile outreach service	\$20,000	2019	CMCF 2019 Grant Round
Rebus Theatre Inc	Acting Out	\$15,000	2019	CMCF 2019 Grant Round
Technology for Ageing and Disability ACT	Outreach Mobility Service	\$15,000	2019	CMCF 2019 Grant Round
TransMasc	TransMasc Workshop Series	\$ 5,000	2019	CMCF 2019 Grant Round
UnitingCare Kippax	UCK – Ginninderry Social Enterprise Hub	\$35,000	2019	CMCF 2019 Grant Round

3.1

VOCAL ACT	Volunteers Supporting Victims of Crime	\$ 5,000	2019	CMCF 2019 Grant Round
Volunteering and Contact ACT	Connections Program – youth focus	\$25,000	2019	CMCF 2019 Grant Round
Warehouse Circus Inc.	Jump Start	\$ 5,000	2019	CMCF 2019 Grant Round
Yeddung Mura Aboriginal Corporation	Dhurrawang Reintegration Program	\$25,000	2019	CMCF 2019 Grant Round
YWCA Canberra	A-Z Work Skills Pilot Program	\$20,000	2019	CMCF 2019 Grant Round

Regional Engagement inc CRJO, NSW MoU, JBT

ISSUE: CANBERRA REGION JOINT ORGANISATION

Talking points:

- The ACT Chief Minister and Canberra Region Joint Organisation (CRJO) Chair re-signed the ACT-CRJO Memorandum of Understanding (MoU) in 2018. This MoU:
 - facilitates engagement with our surrounding region;
 - supports a forum for regional cooperation and resource sharing;
 - provides opportunities and partnerships to create vibrant communities; and
 - cultivates investment and infrastructure development opportunities.
- The MOU agreed to support the CRJO's activities with a particular focus on economic development opportunities, including:
 - developing a Canberra Region Economic Development Strategy (CREDS);
 - activating the CBR Region identity and brand;
 - enhancing regional freight, export and investment capacity and capability;
 - examining CRJO-ACT joint procurement opportunities;
 - collaboration, planning, and advocacy to support key regional or cross-border infrastructure; and
 - examining cross-border collaboration for resource recovery and waste management.
- Formed under NSW legislation, the CRJO provides local government-led strategic planning, governance and advocacy for the Canberra Region. The CRJO supports regular Working Groups to facilitate information sharing between its members and support the coordination, implementation and alignment of initiatives including cross-infrastructure investment, economic development, land planning and intergovernmental collaboration.
- As an associate member of the CRJO, the ACT Government participates in CRJO Working Groups together with representatives from the NSW

Government, in addition to the CRJO's General Managers Advisory Committee (GMAC).

- The ACT pays annual membership fees as an associate member of the CRJO. In the 2020-21 financial year, the ACT's fee was \$49,427.40 including GST.
- Following the NSW Local Government elections in 2021 and a number of new Mayors commencing in the Canberra Region, there is an opportunity for the ACT and CRJO to review and renew our MoU. CMTEDD will lead this work in the ACT Government.

Key Information

- The membership of the CRJO comprises the local governments across South East NSW including: Queanbeyan-Palerang; Yass Valley; Goulburn-Mulwaree; Wingecarribee; Upper Lachlan; Hilltops; Snowy-Monaro; Snowy Valleys; Eurobodalla and Bega Valley.
 - The ACT Government, Wagga Wagga City and East Gippsland (Victoria) are associate non-voting CRJO members.

ISSUE: ACT-NSW MEMORANDUM OF UNDERSTANDING ON REGIONAL COLLABORATION

Talking points:

- Our engagement with NSW and the local government areas surrounding the ACT continues to strengthen and mature through a range of mechanisms and forums.
- The ACT-NSW Memorandum of Understanding on Regional Collaboration (MoU) is the primary framework for that engagement. The provisions set out in the MoU are not legally enforceable and rely on the spirit of cooperation between the two jurisdictions.
- ACT officials attend weekly meetings with the Office of the NSW Cross-Border Commissioner to fulfil actions identified in the MoU and to manage reporting and evaluation.
 - A key component is this work in 2021-22 is establishing and agreeing to a reporting framework to measure progress against the MoU. Both the ACT and NSW Governments will be presenting reports to their relevant Ministers in the coming months.
- The MoU was first signed in 2011. The two jurisdictions continued the commitment to collaboration for our region with a new MoU in 2020 with refreshed priority action areas.
- The list of priority action areas include:
 - Regional Approach to Health Outcomes
 - Regional Approach to Infrastructure and Transport
 - Regional Approach to Strategic Water and Land Use Planning
 - Regional Approach to the Environment
 - Canberra Regional Economic Development Strategy (CREDS)
 - Parkwood Urban Release Area Governance Framework
- Work has progressed to establish several working groups as detailed under the workplan including the Land and Housing Monitor Working Group and the Steering Committee for the Parkwood Urban Release Area Governance Framework.
- The Parkwood Urban Release Area Governance Framework was established as a component under the MoU to guide ongoing cooperation and negotiation between Yass Valley Council, NSW and ACT

Governments. This framework supports governance arrangements and the provision of government services and infrastructure for the Parkwood development in NSW.

- The Canberra Regional Economic Development Strategy was endorsed by Cabinet and is on track for publication in Q3 2022.

Key Information

- Since its introduction in 2011, the MoU has advanced the relationship between the ACT and NSW by facilitating a consultative approach between the two jurisdictions on collaborative initiatives, particularly in the areas of economic development and regional planning.
- The refreshed MoU builds on existing cross-agency MoUs, operational arrangements and service-level agreements, which deliver coordinated NSW and ACT Government services across the border for policing, emergency services and human services.
- The most significant adjustment to the MoU is the replacement of the annual work list with annually-reported Priority Focus Area Plans to guide weight of effort.

Background Information

- The ACT's MoU governance, including the development, implementation and progress of the MoU's priorities and initiatives, is overseen by CMTEDD – Economic and Regional Policy – working across government and reporting to the Chief Minister. In NSW, oversight of the MoU is provided by the NSW Cross-Border Commissioner.

ISSUE: CANBERRA CITY AND REGION DEAL**Talking points:**

- The ACT Government remains keen to discuss with the new Commonwealth Government a potential City Deal for Canberra. A Canberra City and Region Deal could bring together the NSW, ACT and Commonwealth Governments to invest in the Canberra Region.
- A City Deal would seek to establish a collaborative framework to grapple with issues and opportunities to support the National Capital and strengthen the region.

Key Information

- The ACT wrote to former Prime Minister Turnbull in 2016 with a proposed City Deal Memorandum of Understanding (MoU) and a high-level list of potential inclusions. The ACT has raised the prospect of a Canberra or Canberra and Region City Deal a number of times in the intervening years at both official and Ministerial levels.
- To date the Commonwealth has not agreed to work with the ACT on a City Deal.
- The ACT Government is keen to re-open discussions on a potential City Deal with the new Commonwealth Government, to support Canberra as the National Capital and to strengthen the surrounding region.

Background Information

- The Australian Government established a program of city deals in 2016. The city deal is described as a mechanism to support partnership between federal, state and local governments to guide planning, investment and governance in Australia's cities.
- To date nine city deals have been agreed: Townsville; Launceston; Western Sydney; Darwin; Hobart; Geelong; Adelaide; Perth; and South East Queensland.
- The Australian Government has also agreed three "regional deals": Barkly; Hinkler and Albury Wodonga.

ISSUE: ACT-QUEANBEYAN PALERANG REGIONAL COUNCIL LETTER OF INTENT

- On 19 August 2016, the Chief Minister and QPRC Mayor Tim Overall signed the ACT-QPRC Letter of Intent which seeks to formalise the working relationship between the ACT Government and QPRC.
- The principles for engagement under the Letter of Intent include optimising best of region outcomes; pursuing a borderless approach to key infrastructure; and sharing information and data to inform planning and policy development and initiatives.
- In 2022, QPRC and its new Mayor endorsed new priorities for incorporation into a renewed ACT-QPRC agreement. The proposed QPRC priorities have been provided to the ACT for consideration.
 - CMTEDD will lead this consideration in the ACT Government.

Key Information

- Priority areas of engagement under the Letter of Intent include:
 - improving road and active transport connectivity;
 - collaborating on policy and planning opportunities to consider management of water, sewage, waste and renewable energy on a regional scale;
 - planning and collaborating on major contiguous developments;
 - understanding the infrastructure requirements to support population growth; and
 - coordinating efforts to support major events across the ACT and QPRC.

ISSUE: JERVIS BAY TERRITORY**Talking points:**

- Under Commonwealth law, ACT legislation is applied in Jervis Bay Territory (JBT).
- The ACT Government is engaged by the Australian Government to provide a range of state-type services in the JBT.

Review of the JBT Memorandum of Understanding

- The 2012 Memorandum of Understanding (MoU) between the ACT Government and Australian Government for the provision of state-type services to the JBT is currently being reviewed, with the objective of developing a new agreement.
- The ACT Government is working closely with the Australian Government to better understand service priorities and identify opportunities to improve service outcomes.
- The ACT is of the view that it not best placed to deliver services in JBT, and that better outcomes for the community would be achieved if the services were delivered by the NSW Government.
- However, for as long as the ACT continues to provide services, the ACT Government is committed to work with the Commonwealth to achieve the best possible outcomes for the JBT community.
- JBT services are delivered under an “at no cost to the ACT” principle. The total value of funding provided by the Australian Government to the ACT Government for services in Jervis Bay Territory for the 2021-22 financial year is expected to be \$4,110,129 (as at the JBT Budget Reconciliation in April/May 2022).
 - The above figures for 2021-22 may change once the 2021-22 JBT Budget Acquittal process is completed and all final Directorate costs are accounted for 2021-22.

JBT & COVID-19

- The response to COVID-19 in the JBT remains the overall responsibility of the Commonwealth, delivered through the:
 - Minister for Regional Development, Local Government and Territories, the Hon Kristy McBain MP;

- Department of Infrastructure, Transport, Regional Development and Communications (DITRDC);
- JBT Emergency Management Committee and JBT Local Emergency Operations Controller; and
- JBT Branch of the Australian Federal Police.
- For the purposes of responding to COVID-19, the Commonwealth has, under its own powers in JBT, declared a State of Emergency in the JBT and applies its own public health directions and orders under the *Public Health Act 1997* (ACT) to the JBT.
- The ACT Government continues to review how services will be delivered in a COVID-19 context, including any associated impacts on JBT service delivery as a result of the pandemic.
- Where possible and appropriate, various JBT services have been periodically postponed, amended or delivered remotely during 2020, 2021 and 2022 in response to COVID-19. Future changes to the ACT's JBT service profile will continue to be considered by Directorates as required.
 - Essential ACT JBT services continue to be delivered, e.g., WorkSafe ACT, Corrective Services, Care and Protection, etc.
- In the event that the ACT Government is unable or unwilling to continue service delivery to the JBT, it remains the responsibility of the Commonwealth to ensure alternative service delivery options are made available to the JBT community.

Key Information

- ACT Government services in Jervis Bay Territory fall into the following categories:
 - Primary Education (Jervis Bay Primary School);
 - Home Education Services;
 - Early Childhood Regulation Services;
 - Courts Services;
 - Coronial/Forensic Services;
 - Remote Alternative Dispute Resolution Services;
 - Corrections Services (including Court transport);
 - Care and Protection Services;
 - Central Policy & Coordination Services;
 - Health Protection Services (limited water testing, food premises inspection, and limited remote Communicable Disease Control services);
 - Environmental Monitoring (limited water testing);

3.2

- Access Canberra Services (licencing and vehicle registration, government services and compliance activities);
- WorkSafe ACT Services; and
- Limited ACT COVID-19 Hotline support.

ISSUE: PERFORMANCE AUDIT REPORT: GOVERNANCE ARRANGEMENTS FOR THE PLANNING OF SERVICES FOR PARKWOOD, GINNINDERRY

Talking points:

- The Government notes the Auditor-General has provided the Performance Audit Report - *Governance arrangements for the planning of services for Parkwood, Ginninderry* to the Speaker of the Legislative Assembly.
- A joint committee has been established under the ACT-NSW Memorandum of Understanding for Regional Collaboration (MoU), including the ACT and NSW Governments and the Yass Valley Council to progress agreement on the preferred governance mechanism and service delivery model for Parkwood.
- While the audit found that the joint committee has not effectively progressed the planning of services in Parkwood as intended, it is important to recognise that this was a result of all committee members agreeing to explore the option of moving the ACT/NSW border as a first step, before undertaking detailed planning on service delivery arrangements for the new development in NSW.
 - The Chief Minister has written to the NSW Premier on this issue.
- Further, the joint committee was significantly impacted by the COVID-19 pandemic and the disruption it caused to work related to service delivery arrangements at Parkwood.
- While the ACT Government recognises the need to undertake appropriate planning to manage risk and uncertainty, the current masterplan for Ginninderry indicates the development will not reach the NSW border until 2032. This provides some time to explore the option of the border move before we commence more detailed service delivery planning.
- The Government will consider the recommendations and findings of the report and prepare a response in the coming months.

Key Information

- The Report has three main conclusions:

- Continuing uncertainty about the prospects of moving the ACT/NSW border and the cost implications for the Territory increases the risks associated with moving the border and its cost-effectiveness for the ACT, and there is a need for forward planning to reduce and manage these uncertainties.
- The ACT-NSW Memorandum of Understanding for Regional Collaboration's (the ACT-NSW MoU) objectives and its logical delineation of roles and responsibilities, provide a sound foundation for cross border collaboration. However, the Steering Committee established under the Parkwood Urban Release Area Governance Framework has not effectively progressed the planning of services in Parkwood as intended.
- As chair, CMTEDD has not effectively advanced the development of a model for delivery of services in Parkwood through the Parkwood Governance Steering Committee. While moving the border is a threshold issue and the preferred approach of the ACT Government, it continues to be important to work with stakeholders to plan for Parkwood in the event it remains in NSW.
- The Report makes two recommendations:
 - CMTEDD should re-convene the Parkwood Steering Committee and work with the members to agree and deliver a work program each year. The work program should document the priority tasks and timelines for the Committee to effectively deliver on its objectives in advance of the Ginninderry development reaching the NSW border.
 - CMTEDD should review and endorse and/or revise the service delivery options developed through the Cross Border Agency Forums in 2013, 2016 and 2019, and documented in the Parkwood Planning Proposal: Services and Infrastructure Report (2017). There is merit in progressing this in parallel with considerations about the border move as the move may not occur.
- CMTEDD has already commenced planning to re-convene the Parkwood Governance Steering Committee.

Background Information

- On 7 February 2022, the Auditor-General wrote to the Head of Service advising that, under the Auditor-General Act 1996, he had decided to conduct a performance audit on the Territory's governance arrangements in relation to the delivery of services in Parkwood.
- The objective of the audit was to assess the effectiveness of the Territory's governance arrangements for the planning of services for Parkwood.
- The Auditor-General presented a copy of the final report to the Speaker of the Legislative Assembly on 29 June 2022.

ISSUE: National Cabinet, NFRC, CAF and CCCLM**Talking points:*****National Cabinet***

- The National Cabinet was established on 13 March 2020 to provide a nationally coordinated response to the COVID-19 pandemic. The National Cabinet comprises the Prime Minister and state and territory Premiers and Chief Ministers.
- The National Cabinet meets regularly to collaborate on issues of national significance, however its primary focus to date has been managing Australia's ongoing response to the COVID-19 pandemic and economic recovery.
- Since the election of the new federal government in May 2022, National Cabinet is considering other significant national reforms, including: practical improvements to the health system; skill shortages and migration issues; and the role of Ministerial Councils in progressing national priorities, with a focus on productivity improvements.
- Since its first meeting on 15 March 2020, National Cabinet has met 69 times, most recently on 16 July 2022. At its peak, National Cabinet met three times a week.
 - In the 2020-21 reporting period, National Cabinet met 24 times.
- During the ongoing COVID-19 response, the National Cabinet considered a number of standing agenda items including the COVID-19 vaccine rollout, coronavirus epidemiology and Health System Capacity.
- Notable matters considered by the National Cabinet have included:
 - The National Plan to transition Australia's National COVID-19 Response including the reopening of international borders;
 - Public Health and Social Measures (PHSM) and Approaches to Test, Trace, Isolate and Quarantine (TTIQ); and

- COVID-19 vaccination and booster programs including targeted vaccination programs for vulnerable communities, vaccine mandates for high risk sectors, and vaccination passports.
- The National Cabinet has received briefings from a range of experts and expert advisory bodies including the:
 - Australian Chief Medical Officer and Chair of the Australian Health Protection Principal Committee (AHPPC);
 - Secretary of the Federal Treasury;
 - National COVID-19 Vaccine Taskforce;
 - COVID-19 Risk Analysis and Response Taskforce;
 - Australian Technical Advisory Group on Immunisation (ATAGI); and
 - Therapeutic Goods Administration (TGA).

First Secretaries Group and First Deputies Group

- The First Secretaries Group (FSG) and First Deputies Group (FDG) facilitate engagement between the Commonwealth and state and territory government senior officials and deputy officials and consider policy issues discussed by First Ministers at National Cabinet.
- FSG is often tasked by the National Cabinet to progress policy issues related to the COVID-19 response and other nationally significant matters.
- In 2021-22, following the election of the new federal government, National Cabinet tasked the FSG to:
 - identify practical improvements to the health system and specifically the connections between GPs and hospitals, including working together to identify practical ways to get aged care residents, elderly Australians, and NDIS participants out of hospital and into appropriate care settings; and

- review the federal relations architecture, in line with national priorities and with a productivity and microeconomic reform lens.

National Cabinet Reform Committees

- The following National Cabinet Reform Committees (NCRCs) were established to progress work in priority areas: Rural and Regional; Skills; Energy; Infrastructure and Transport; and Health.
- Representation on NCRCs includes relevant portfolio Ministers from each jurisdiction. The NCRC is chaired by the relevant Commonwealth portfolio Minister.
- The ongoing role of the NCRCs will be determined in the review of the federal relations architecture currently being led by FSG.

National Federation Reform Council (NFRC)

- The National Federation Reform Council (NFRC) was established on 29 May 2020 by National Cabinet. It comprises the Prime Minister, First Ministers and Treasurers of all Australian jurisdictions and the President of the Australian Local Government Association (ALGA).
- The ACT Chief Minister as both First Minister and Treasurer, represents the ACT at the NFRC.
- The NFRC considers issues of national importance not otherwise considered by the National Cabinet.
- The NFRC meets annually and has met twice since its establishment, on 11 December 2020 and 10 December 2021.
- At its most recent meeting on 10 December 2021, the NFRC received briefings including:
 - economic and market outlook, productivity enhancing reforms, COVID-19 economic recovery and growth;
 - local government presentation by Councillor Linda Scott, President, Australian Local Government Association;

- the National Mental Health and Suicide Prevention Agreement; and
- emergency management and the Royal Commission into National Natural Disaster Arrangements.
- The NFRC also considered issues in Indigenous Affairs; Women's Safety; and Veterans' Wellbeing.
- The ongoing role of the NFRC will be determined in the review of the federal relations architecture being led by FSG.

Council of Australian Federation (CAF)

- The Council for the Australian Federation (CAF) was formed in October 2006 to support and enhance Australia's federal system by providing an intergovernmental forum for State and Territory leaders in Australia.
- Membership comprises all state and territory First Ministers and chairing CAF rotates annually between jurisdictions, with NSW chairing CAF in 2022. CAF also meets at First Secretaries and First Deputies levels.
- CAF met three times in the 2021-22 reporting period:
 - 9 December 2021;
 - 27 April 2022; and
 - 16 June 2022.
- CAF FSG and CAF FDG have met more frequently throughout this period to discuss positions on policy matters including COVID-19 pandemic funding, cross border arrangements and international travel.

Council of Capital City Lord Mayors (CCCLM)

- Membership of the Council of Capital City Lord Mayors (CCCLM) provides an opportunity for the ACT Government to engage with capital cities, to exchange information on shared issues and to provide a platform to advocate on the importance of Australia's capital cities.

- The CCCLM meets several times each year to support cross-city network building and information sharing at both the Mayoral (and Chief Minister) and senior officer levels.
 - The ACT Chief Minister met (remotely) with the CCCLM Lord Mayors once during the 2021-22 reporting period, in March 2022.
 - At two other meetings of CCCLM Lord Mayors in 2021-22 where the Chief Minister was unable to attend, the ACT Government was represented by CMTEDD Policy & Cabinet officials.
- The CCCLM also supports aligned engagement with the Australian Government to promote the importance of cities to Australia's prosperity.
 - The CCCLM provides an effective forum within which to call for strong federal cities policy to meet the needs of Australia's urbanised population.
- The 2021-22 CCCLM membership fee for the ACT Government is \$52,200.
- In addition to regular engagement through CCCLM Lord Mayors' and CEOs' meetings and Working Groups, key CCCLM activities and achievements in 2021-22 include (but are not limited to):
 - Providing a CCCLM Submission to the Australian Government's consultation process for the 2022-23 federal budget seeking Commonwealth investment and/or support, primarily in the areas of pandemic assistance and recovery and city infrastructure.
 - Providing a CCCLM submission to the Productivity Commission review of the National Housing and Homelessness Agreement.
 - The CCCLM Submission did not represent the City of Canberra, as the ACT Government provided its own submission directly to the Productivity Commission review.
 - Releasing the 'Measuring Australia's Night Time Economy Report' for 2020-21, which includes consideration of COVID-19 impacts to the sector.
- CCCLM priority areas for 2021-2024 are:
 - Economic Development;

- Infrastructure;
- Homelessness and Housing;
- Climate Action;
- City Safety; and
- Culture and the Arts.

Additional Information:

Legislation to amend outdated references to COAG Ministerial Councils and Forums

- On 23 October 2020, National Cabinet agreed the recommendations put forward by the Review of Former COAG Ministerial Councils and Forums.
- Recommendation 30 which directed the Commonwealth, states and territories to introduce legislation into Parliament to amend outdated references to COAG Councils has not yet been implemented.
-
- Progress has been delayed on this item due to additional provisions the Commonwealth has initiated to maintain confidentiality of National Cabinet papers and discussion.
 - On 17 September 2021, National Cabinet released a joint statement affirming the importance of confidentiality to relationships between the Commonwealth and the States and Territories.
- The Commonwealth introduced the *COAG Legislation Amendment Bill 2021* (the Bill) into Parliament on 2 September 2021. The Bill has not been considered further at this time and has since expired from the Notice Paper at the conclusion of the previous government.
 - The ACT Government also introduced a *COAG Legislation Amendment Bill 2021* (ACT Bill) to the Legislative Assembly on 4 August 2021. It is not currently scheduled for debate.

ISSUE: (Non-health) Support to the COVID-19 Response in the ACT**Talking points:**

- Continuation of the Office of the Coordinator-General Whole of Government Response – COVID-19 and Strategic Priorities in 2022-23 was agreed by ERC.
- The Office will continue to be offset by contributions from directorates in 2022-23.
- All agencies have benefited and will continue to benefit from central coordination of the COVID response and other strategic priorities.
- A review towards the end of the financial year will assess whether continuation of the Office is required – with a further business case to be submitted.
- The Office is currently supported by one Administrative Services Officer level 6 and one Executive Band 1.4.
- The E1.4 is also responsible for supporting the Chief Minister and Head of Service in National Cabinet, the Council for the Australian Federation, and other intergovernmental fora.
- Over the past financial year, The Office has;
 - assisted Directorates to address staff surge requirements where COVID-19 has created additional work pressures and has supported timely coordinated responses to non-COVID related government priorities;
 - brought together deputy director-general level representatives from across the ACT Public Service in the Coordinator-General's Group (CGG) to consult, to problem solve and to develop timely advice to Director's General, ministers, and their offices on a range of whole of government COVID-19 related matters;
 - facilitated negotiations with the ANU and Health Directorate on agreements for managed quarantine facilities;

- supported timely coordinated responses to non-COVID related government priorities through the CGG including significant storm and weather events in early 202 and, responses to ongoing protest activity in the first quarter of 2022; and
- addressed issues related to the Strategic and Accountability Indicator Review and the current Legislation and Assembly program.
- A role for the Office remains in relation to the pandemic response as the ACT continues to roll out the vaccine and boosters, and continues to evolve positions on new treatments, changes to testing, quarantine and other public health and social measures, while working with whole of government communications to manage messaging.
- Over the next financial year, there remain a number of COVID-19 matters to be considered and monitored at a whole of government level as restrictions ease and while the risk of further outbreaks and new COVID-19 variants of concern remain a real possibility.
- When the pandemic situation changes, a quick assessment of the projected impact will be required and rapid action taken to reduce virus transmission, protect populations at high risk of complications and minimise social and economic disruption.
- The Office of the Coordinator-General will continue to consult with Health and across government to ensure directorate level responses where appropriate and to support the ACT's policy positions in national discussions.

Background:

- The Office for the Coordinator General (non-health) was established in March 2020 to oversee existing non-health coordination structures, ensuring governance, decision-making and other planning work and

associated processes are coordinated and working efficiently in response to the COVID emergency.

- In 2021-22, the Coordinator-General role was added to the existing Deputy-Director General Policy and Cabinet role, supported by an executive level 1.4 and an ASO 6.
- The Coordinator-General works closely with the Chief Health Officer to ensure the health and non-health responses are well aligned and the Chief Health Officer's needs across government are supported.
- The Office also ensures there is clarity across the ACT government on the structures and legal authority underpinning our COVID-19 response.
- Since the establishment of the Coordinator General role and the Office of the Coordinator General, the Coordinator Generals Group has met over 230 times, most recently on **5 August 2022**.
- The Coordinator-General and the Policy and Cabinet division also supports the ACT's engagement with the National Coordination Mechanism (NCM) of National Cabinet, created to respond to COVID-19 at a national level and the work of National Cabinet. We provided strategic advice and administrative support for the participation of relevant directorates and the Chief Minister.

Issue: Wellbeing

Talking Points

- 2021-22 saw another year of significant progress made towards embedding the ACT Wellbeing Framework across government, including through Budget and Cabinet processes.
 - This year, over 180 **Wellbeing Impact Assessments** (WIAs) were reviewed by wellbeing discussion groups for the 2022-23 Budget process, ensuring that proposals before Government considered the wellbeing impacts on the community, our institutions and environment.
 - **Wellbeing discussion groups**, which included representatives from across all directorates, reviewed the WIAs and provided advice to Expenditure Review Committee through the provision of specific wellbeing briefs.
- During 2021-22 we have supported the preparation of the first dashboard exploring the wellbeing of **children and young people**.
- Soon to be released, this dashboard contains 49 measures, which have been mapped across 11 of the 12 wellbeing domains.
 - It covers the experience of children and young people from pregnancy through to 25 years of age.
- Looking forward, the **wellbeing dashboard** will continue to be developed so that the wellbeing of specific groups can be analysed and compared with the wellbeing of an 'average Canberran'.
- Over time, this will include wellbeing of **specific groups** based on gender, LGBTIQ+ identity, older Canberrans, people with disability, children and young people, people from multicultural backgrounds, carers, and Aboriginal and Torres Strait Islander peoples.
- We will work with both directorates and the community in building these profiles, including considering the intersectional issues relevant to such analysis.
- The University of Canberra ***Living well in the ACT Region*** survey provides unique insights into the wellbeing of Canberrans. This survey currently provides around one third of the subjective measures on the wellbeing dashboard and analysis of results across multiple waves of the survey is helping us to measure and understand our progress alongside

administrative data provided by directorates and data from the national statistical agencies (including from the recent Census).

Key Information

- In March 2020, the Government released the **ACT Wellbeing Framework** including 12 domains and 56 indicators. In April 2021, the Government released the Wellbeing data dashboard which includes data against 90 of the 100 indicators in the Framework. Some measures are still under development and the dashboard will be updated over time.
- From 1 January 2022, WIAs became mandatory for **Cabinet Submissions**, replacing the Triple Bottom Line assessment, and contributing to discussion and decision-making based on a fuller understanding of how proposals will impact the wellbeing of our community.
 - Between November 2021 and February 2022, over 1000 ACTPS staff attended WIA information sessions to support and establish the use of the tool across the service. In the initial stages of WIAs being mandatory for Cabinet Submissions, the wellbeing team provided 1:1 support with drafting WIAs on request for teams developing Cabinet Submissions across all directorates.
 - A summary of the wellbeing impacts of each Cabinet Submission is released publicly along with the Cabinet decision as part of the Open Access requirements of the *Freedom of Information Act 2016*.
 - A WIA is required for all Cabinet Submissions, Discussion Papers, and Assembly Business Papers. Some items may receive an exemption to this requirement with agreement from the Executive Branch Manager, Cabinet, Assembly and Government Business Branch with endorsement by the Chief Minister’s Office. This may include:
 - items for noting and/or administrative purposes that have no policy or financial impact; or
 - items for agreement where the proposal is minor or technical and is assessed as having no material impact on wellbeing.
- The **10th Parliamentary and Governing Agreement (PAGA)** includes a wellbeing commitment:
 - “Ensuring a holistic approach to government budgets, decision-making and reporting, including consistent, meaningful and measurable strategic and accountability indicators based on wellbeing.”
 - The 2021-22 ACT Budget was the first where Wellbeing principles were embedded in Budget proposals and decision-making.
- We recognise that embedding a wellbeing approach in the way we consider issues will take time – to better **evaluate wellbeing outcomes, build a strong evidence base** of what works for wellbeing, shape our investments around priority areas of need identified in conjunction with the community, and create a shared language across government and stakeholders in how we approach and collaborate on these issues.

- Part of the PAGA commitment involves examining options for performance reporting in the context of wellbeing, including **strategic and accountability indicators**. During 2022- 2023, CMTEDD will be working with directorates to explore how the ACT's existing performance and accountability system can be enhanced to report organisational progress on wellbeing.

Budget

- For the 2022-23 Budget, the ACT government again required a **WIA for Budget** proposals to help decision-makers understand the impact of each proposal on the wellbeing of our community, including who would be impacted and which of the domains under the Wellbeing Framework the impacts most closely related to.
- WIAs provided a tool for drafting officers and managers to develop proposals that included detailed information on wellbeing impacts, and a tool for ERC to provide advice on how proposals would impact wellbeing, including on groups within the community at risk of experiencing lower than average wellbeing.

Data Dashboard and reporting

- Development of the **dashboard, released on 1 April 2021**, was an extensive whole-of-government process.
- The Framework commits to comprehensive data reporting every two years, with updates in relation to government and community action to support wellbeing being reported periodically in the intervening years.

COVID-19 Reporting

- The Wellbeing Framework was designed to capture the longer-term changes in wellbeing outcomes.
- Whilst around one third of the measures on the dashboard come from the University of Canberra *Living Well in the ACT Region* survey (and so picks up sentiment during COVID-19 intense periods including last year) the dashboard itself is **not designed as a COVID-19 report**.

Wellbeing of specific groups in the community

- As well as providing high-level aggregate data on wellbeing for the community, the Framework commits to, over time and where possible, breakdown of the aggregate indicator and measure information and data by various specific groups to examine the variability of wellbeing outcomes across the community.
- The wellbeing team in PCD, the ACT Data Analytics Centre and the Community Services Directorate have completed a collaborative project to report on the wellbeing of children and young people.
- The Community Services Directorate have launched the **Aboriginal and Torres Strait Islander 2021 Impact Statement and dashboard** in April 2022. The Impact Statement and dashboard present a compilation of ACT data that provide a picture of this jurisdiction's performance in relation to national Closing the Gap targets.

Governance

- A cross directorate group (the ***Wellbeing Policy and Implementation Group – WPIG***) is working with the wellbeing team in Policy and Cabinet CMTEDD to embed the Framework within government decision-making.
- Strategic Board is overseeing this work during this the current term of the Assembly.

Engagement

- The Wellbeing Framework was developed through **extensive engagement with the Canberra community**.
- While engagement with the community has been more challenging during the pandemic, the wellbeing team is looking to re-establish engagement more formally in the latter part of 2022 to progress our insights on the wellbeing of Canberrans.
- During the 2022-23 Budget process, the wellbeing team attended Budget consultations and engaged with a range of stakeholder organisations to provide information around wellbeing in the Budget process, and to and convey the community's priorities to Government.
- The wellbeing team has ongoing close engagement with the University of Canberra, which administers the *Living Well in the ACT Region* survey from which we draw around one third of our wellbeing measures.
- The wellbeing team continues to share learnings from the development of the Framework with stakeholders and other leaders in the field of wellbeing both across Australia and overseas.

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ISSUE: CHILD SAFE STANDARDS & REPORTABLE CONDUCT**ISSUE: CHILD SAFE STANDARDS****Talking points:**

- The ACT Government has agreed in principle to Royal Commission recommendations to introduce a Child Safe Standards scheme and appoint independent oversight.
- Under a Child Safe Standards scheme, organisations working with children and young people would be required to use the Standards to make continuous improvements to child safety.
- Child Safe Standards provide practical guidance to organisations on how to create a culture of safety which protects and empowers children and young people (e.g. improving governance systems, including young people in decisions that affect them, and using child focused processes in responding to complaints).
- Initial community consultation on the design of the ACT Child Safe Standards Scheme was held between November 2019 and February 2020. The consultation highlighted community support for Child Safe Standards, with many organisations providing services to children already striving to deliver safe environments and improve practices.
- Organisations also raised the need for educational materials, supports and time to transition to a new scheme, noting child safety has a complex regulatory environment already.
- Based on what was heard, the Government decided the ACT's Child Safe Standards Scheme will:
 - use principle-based standards;
 - be focused on long-term capacity building and education, rather than prescriptive rules and penalties;
 - be risk-based, recognising that each organisation and sector will be different; and
 - be managed by the Human Rights Commission.

- The Government is considering different legislative options to implement the commitment, along with options for timing that will give organisations the certainty they need and time to prepare. Further community engagement will be undertaken as the project progresses.

Key Information

- This work is now sponsored by Minister Stephen-Smith and Minister Cheyne, rather than the Chief Ministers.
- This work has been impacted by the ongoing public health emergency, starting in March 2020 while efforts were focussed on responding to the pandemic.
- The work was previously being progressed under the Chief Minister, Attorney-General and Minister for Justice, Consumer Affairs and Road Safety. Under the new Administrative Arrangements of the 10th Assembly, the work is overseen by the Minister for Families and Community Services and the Minister for Human Rights.

Why are Child Safe Standards needed on top of Working with Vulnerable People Checks and the Reportable Conduct Scheme?

- WWVP and RCS require people to report known incidents of abuse, and prevent known perpetrators from working with children. In contrast, CSS places the emphasis on creating child safe environments that prevent abuse from occurring in the first place.

What will the impact on organisations be?

- The scheme will be designed to promote child safety while minimising the burden on organisations.
- There is no 'one size fits all' approach to implementing the Standards. Organisations will have flexibility to comply in ways that make sense in their context (considering their size, the nature of their interactions with children, and the administrative resources available to them).
- The Standards encourage continuous improvement over time, not immediate leaps in progress.
- Organisations will not be expected to build things from scratch. ACT and federal oversight bodies will provide guidance material, tools and resources, training sessions, telephone and email support.
- While compliance may require work for some organisations, the Standards also present opportunities for small organisations:
 - Investment in prevention is cost effective, as it mitigates exposure to the costs of investigations following incidents.

- Businesses that comply with the Standards are becoming providers of choice as parents increasingly ask about child safety when making purchasing decisions.
- The guidance and support provided through the Scheme will help ACT businesses to continuously improve alongside businesses in other jurisdictions that have similar schemes (eg NSW and Vic).

Background Information

- All Premiers and Chief Ministers endorsed the National Principles for Child Safe Organisations in February 2019.
- From November 2019 to February 2020, the community had the opportunity to provide input to the following four elements:
 - scope of the scheme (which organisations should be included);
 - types of support to be provided by the oversight body, to assist organisations to comply with the Standards;
 - what monitoring and enforcement powers should be given to the oversight body; and
 - how best to stage commencement of the scheme so that organisations have time to prepare.
- If organisations wish to start thinking about what Child Safe Standards means for them, the website of the National Principles for Child Safe Organisations (<https://childsafe.humanrights.gov.au>) contains free tools and resources, including videos, self-assessment checklists, online training modules, and sample policy documents.

REPORTABLE CONDUCT

Talking points:

- The ACT's Reportable Conduct Scheme has been in place since 1 July 2017. It provides independent oversight, through the ACT Ombudsman, of the way workplaces subject to the Scheme investigate and handle allegations of misconduct involving children.
- Reportable Conduct refers to certain types of misconduct involving children, including ill treatment, neglect, sexual misconduct, and certain types of criminal behaviour.
- The Scheme was introduced as part of the Government's response to the Royal Commission into Institutional Responses to Child Sexual Abuse.
- Entities subject to the scheme include all government and non-government schools, all ACT Government directorates, providers of childcare services, health services, out-of-home care services and religious organisations providing care or instruction to children.

Key Information

- Funding for the Scheme is managed through a single service agreement with the Ombudsman for a range of services they provide for ACT Government.
- This service agreement is managed centrally by the Workforce Capability and Governance division, which now manages payments for the Reportable Conduct Scheme, although Policy and Cabinet Division retain policy responsibility for the scheme.
- The Ombudsmans releases quarterly public reports providing an overview of cases received and resolved during each period.
- CMTEDD works with the Ombudsman to review operation of the scheme, including its legislation, to ensure it continues to operate effectively and efficiently.

ISSUE: Royal Commissions:

- 1. General information/ACT Government engagement**
- 2. Disability**
- 3. Veterans**
- 4. Child Abuse**
- 5. Natural Disasters**

1. General information**Talking points:**

- The ACT Government engages with a range of national Royal Commissions including the current Disability Royal Commission and Veterans Royal Commission, and recent Royal Commissions on Child Abuse and Natural Disasters.
- The ACT, as a Territory, does not issue letters patent to establish and empower Royal Commissions in the Territory like States do. Nonetheless, the Royal Commission has the same powers in the ACT as elsewhere and the ACT Government has committed to supporting and engaging fully with all current Royal Commissions.
- Line agencies are generally responsible for leading work to respond to Royal Commissions, although CMTEDD is typically closely involved in coordination and engagement efforts. The ACT Government Solicitor supports direct engagement with Counsel Assisting Royal Commission(s) on legal notices.

Key issues:

- The Commonwealth Governor-General may, by Letters Patent, issue a Royal Commission, requiring or authorising it to make inquiry into and report upon any matters specified in the Letters Patent (pursuant to s 1A of the Royal Commissions Act 1902 (Cth) (Commonwealth Royal Commissions Act)).

- A member of a Royal Commission may summon a person or organisation to appear before the Commission at a hearing to give evidence or produce documents in relation to matters that fall within the scope of the Terms of Reference.
- An issue arose when the Commonwealth was establishing the Royal Commission into Institutional Abuse of Children as to the capacity of the Commission to compel the production of some documents held by departments of state governments and to give evidence through their officials.
- It involved constitutional principles around the capacity of the Commonwealth to significantly curtail or interfere with the capacity of a State to function as a government by the production of material core to governmental activities or otherwise interfering in its operations.
- The solution was for the Commonwealth Commissioners to also be appointed as Commissioners under equivalent State laws. The Governor of each State issues corresponding Letters Patent under that State's analogous laws, requiring and authorising the members of the Royal Commission to inquire into matters that fall within the Terms of Reference.
- The Territories are in a different position to States. The Commonwealth Parliament has a power to make laws with respect to the Territory, pursuant to s 122 of the Constitution. The Commonwealth Parliament does not require a separate source of power to compel the attendance of Territory witnesses or require the production of Territory documents pursuant to a power in a Commonwealth law.
- Typically, line agencies are responsible for monitoring, engaging with and responding to Royal Commissions. However, CMTEDD (PCD) has played a significant role in most recent Royal Commissions due to the complex and cross-portfolio nature of those Royal Commissions.
- The ACT Government does not typically share the cost of Royal Commissions that the Commonwealth chooses to establish, but nonetheless support and engage with Royal Commissions as needed.

2. Disability

Talking points:

- The ACT Government has welcomed the *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*, which will provide a much-needed platform for some of the most vulnerable members of our community
- The Royal Commission is expected to inform governments, institutions and the wider community on how to prevent, and better protect, people with disability from experiencing violence, abuse, neglect and exploitation in the future and promote a more inclusive society that supports the independence of people with disability.
- The Community Services Directorate is the lead directorate for disability matters in the ACT. CMTEDD works closely with CSD to ensure a seamless response to the Royal Commission

Key issues:

- From 6-11 June 2022 public hearing #24 examining the experience of children and young people with disability in different education settings was held in the ACT.
 - An ACT student with cerebral palsy and his mother provided evidence.
- There are meetings across government as needed to ensure the ACT Government has a coordinated approach to responding to issues from the Royal Commission. Regular meetings are also held to discuss the response with our colleagues in the Australian Government and all other jurisdictions.
- The Disability Royal Commission has so far published four progress reports which document the findings and evidence from the public hearings. These progress reports do not contain recommendations for the ACT.
- A specific report on the response to the COVID-19 pandemic was tabled in the Australian Parliament in late November 2020. The Commonwealth response to the COVID-19 Special Report was tabled in Parliament on 27 April 2021. The recommendations from this report were all matters for the Australian Government.

- On 13 May 2021 the Commonwealth Government granted the Royal Commission a 17 month extension to deliver its final report. The ACT will consider its response to any recommendations in due course.

Background:

- The Disability Royal Commission was established on 4 April 2019. The establishment of the Royal Commission was the result of efforts by disability peak bodies and advocates, from an initial proposal in 2012, and a Commonwealth Senate Community Affairs References Committee Inquiry and Report in November 2015, which recommended a Royal Commission into violence, abuse and neglect of people with disability.
- Since its inception the Royal Commission has held two dozen public hearings in locations across Australia. The hearings have covered a wide range of issues of importance to the community including: the experiences of people with cognitive disability in the criminal justice system, the experiences of First Nations people with disability and their families in contact with child protection systems and a specific hearing on the experiences of people with disability during the ongoing COVID-19 Pandemic.

2. Veterans

Talking points:

- The ACT Government has welcomed the *Royal Commission into Defence and Veterans Suicide*. The Royal Commission is expected to inform governments, institutions and the wider community on how the mental health of defence personnel and veterans can be better cared for.
- The Community Services Directorate is the lead directorate for veterans matters in the ACT, while mental health policy is the responsibility of Health Directorate. CMTEDD works closely with CSD as the lead agency on this Royal Commission to ensure ACT Government engagement is timely and coordinated.

Key issues:

- The Veterans Royal Commission is the most recent commission established by the Commonwealth.
- CSD (the Office for Seniors and Veterans Affairs) has policy responsibility for veterans' affairs. CMTEDD and GSO support engagement with the Royal Commission and other jurisdictions as needed.

Background:

- The Royal Commission into Defence and Veteran Suicide was established on 8 July 2021 by the Australian Government. Among other things, the Royal Commission will inquire into:
 - Common themes and issues among defence and veteran suicides or lived experience of suicidal behaviours and risk factors.
 - The role of non-government organisations, including ex-service organisations, in supporting defence members, veterans, their families and others within the community.
 - Issues that exist within, and the availability and effectiveness of, support services for families and others.
 - Common themes and issues among defence members' and veterans' experiences in accessing claims, entitlements, and support services from government, including trying to engage with multiple government organisations.

- Five Hearing Block sessions have been conducted at various venues across Australia, including:
 - Hearing Block 1, Brisbane, 29 November 2021;
 - Hearing Block 2, Sydney, 14-18 February 2022;
 - Hearing Block 3, Sydney, 7-17 March 2022;
 - Hearing Block 4, Canberra, 4-14 April 2022; and
 - Hearing Block 5, Townsville, 20-30 June 2022.

- To date, the key issues presented in the first hearings include:
 - a. an emphasis on the need for more robust data captured both during a Defence member's service and following their discharge, coupled with stronger mechanisms for sharing such data across relevant stakeholders;
 - b. a call for change in culture, particularly of the leadership structures in the Australian Defence Force in order to remove stigma relating to mental health and encourage members who are struggling to seek help without fear of jeopardising their career;
 - c. a focus on a supportive transition out of Defence into civilian life, noting the effect discharge has on a defence member as they leave behind their 'tribe';
 - d. a need to further investigate numbers and circumstances of Veterans in incarceration and Veterans who are facing homelessness;
 - e. a call for Defence to involve family members in the support of Veterans who are unwell, acknowledging the enormous role families play in providing protective factors and the inherent impact on loved ones who care for unwell Veterans, and

 - f. a need for many and varied support options for Veterans, both with specific defence knowledge and within the mainstream system to cater for the individuality of members of the Veteran population. These systems, however, should be supported by coordination and collegiality amongst service providers.

- Further Hearing Block sessions are scheduled as follows, although subject to change:
 - a. Hearing Block 6, Hobart, from 1 August 2022;
 - b. Hearing Block 7, Darwin, from 17 October 2022; and
 - c. Hearing Block 8, Wagga Wagga, from 28 November 2022.

- The Royal Commissioners are required to provide an interim report by 11 August 2022, and a final report by 17 June 2024.

3. Institutional Responses to Child Sexual Abuse

Talking points:

- Progress continues towards implementing the 307 recommendations of the Child Abuse Royal Commission.
- The COVID-19 public health emergency has changed some planned approaches to implementing the recommendations of the Final Report.
- Despite these challenges, significant progress has been achieved across the four themed domains:
 1. Making Institutions Child Safe
 2. An Oversight System that Responds to Child Safety
 3. Services for Children and Young People
 4. Tailored Support through Specialist Services.
- The ACT Government's Fourth Annual Progress Report, will be published later this year and notes that as at the February 2022, 209 of the recommendations are complete, 74 are in progress, 4 have been noted, and 19 have been flagged as ongoing cross-jurisdictional work.

Key issues:

- As per recommendation 17.2 of the Final Report, the ACT will continue to provide an Annual Progress Report for five years, from 2018 to 2023, responding to the recommendations of the Royal Commission.
- An effective response to implement the Royal Commission's Final Report recommendations depends on careful consideration, extensive consultation and cooperation between jurisdictions.
- Responsibility for implementation of the recommendations of the Royal Commission are spread across directorates in the ACT.

- CMTEDD also plays a role to coordinate reporting on the Royal Commission and intergovernmental engagement on some recommendations spanning multiple jurisdictions.

Background:

- The Royal Commission into Institutional Responses to Child Sexual Abuse (the Child Abuse Royal Commission) was established in 2013, in response to allegations of sexual abuse of children in institutions across Australia over many years.
- The Royal Commission handed down its Final Report on 15 December 2017. The Final Report contained 189 recommendations, of which 105 affect state and territory governments.
- The Royal Commission has previously released:
 - The Working with Children Checks Report in August 2015, containing 36 recommendations: 35 are relevant to the ACT.
 - The Redress and Civil Litigation Report in September 2015, containing 99 recommendations: 84 are relevant to the ACT.
 - The Criminal Justice Report in August 2017, containing 85 recommendations: 83 are relevant to the ACT.
- The ACT formally responded to the Royal Commission's Final Report on 15 June 2018. Of the 307 recommendations for the ACT Government, we accepted or accepted in principle 290 of these, and noted or took under further consideration the remaining 17.

4. National Natural Disaster Response and Recovery

- The Bushfire Royal Commission made 80 recommendations in its final report across a wide range of topics. Many recommendations require cooperation and coordination across multiple jurisdictions, directorates and/or non-government stakeholders to implement.
- The Australian Government announced its response to the recommendations on 13 November 2020, agreeing or agreeing in principle to all recommendations directed at the Australian Government.
- On the same day, National Cabinet decided all jurisdictions would collaborate to implement the recommendations of the Royal Commission through the newly created National Emergency Management Ministers' Meeting (NEMMM).
- On 24 March 2021, the ACT released its response to the final report. The ACT is supportive of all recommendations of the Royal Commission. Work is progressing to implement the recommendations, including:
 - progressing climate change initiatives;
 - strengthening bushfire fuel load management information;
 - strengthening recovery policy in line with national policy; and
 - sharing information about critical infrastructure.
- The ACT has implemented 32 of the recommendations, with significant effort being undertaken to implement the remaining recommendations.
- The ACT is also working closely with the Commonwealth and all states and territories to progress six priority recommendations as determined by the National Federation Reform Council.

Key issues:

- In response to the Black Summer Bushfires, the Prime Minister announced on 20 February 2020 that a national Royal Commission would be established to inquire into the bushfires. The specific focus of the Royal Commission included natural disaster management coordination; improving Australia's preparedness, resilience

and response; and the legal framework for the Commonwealth's involvement in responding to emergencies.

- The *Royal Commission into National Natural Disaster Arrangements* (RCNNDA) commenced proceedings in April 2020. The ACT provided evidence into the RCNNDA over the following months and made a submission on the draft propositions that were received on 31 August 2020. Overall, the ACT was supportive of the majority of the draft propositions.
- The final recommendations are wide ranging and address a diverse range of areas, including, among other things: national emergency coordination arrangements, data and decision making, declaration of national emergency arrangements, enhancements to national emergency response capability, emergency planning and evacuation, emergency information and warnings, land management and indigenous land and fire management, coordinating relief and recovery and delivery of recovery services and financial assistance measures.
- All Emergency Management Ministers agreed that ahead of the 2021-22 high-risk weather season, the states and territories and Commonwealth governments would focus on progressing priority actions against seven recommendations relating to:
 - the Australian Warning System and Australian Fire Danger Rating System
 - nationally consistent pre-agreed Disaster Recovery Funding Arrangements
 - a review of the path to deliver the Public Safety Mobile Broadband capability
 - making substantial progress to improve natural disaster risk information to support decision-making such as land-use planning for new developments, and the construction code, and
 - share hazard reduction data and information across jurisdictions to maximise its utility and value for hazard risk reduction.

Background

- The RCNNDA was established in response to the Black Summer bushfires of 2019-2020 which resulted in devastating loss of life, property and wildlife, and environmental destruction across the nation. Commission Chair, Air Chief Marshal Mark Binskin AC (Retd) presented the Royal Commission's report to the Governor-General on Wednesday, 28 October 2020. The report was tabled in the Federal Parliament on 30 October 2020.
- In December 2020, March, May and July 2021, Tasmania, Victoria, South Australia and Queensland respectively released their formal responses.

National Security

- The ACT closely monitors national security matters and works closely with a range of Commonwealth agencies. We are strengthening our working relationships with the Department of Home Affairs and national security related fora to share expertise, insights and information.
- National security threats that may manifest in the ACT include espionage, terrorism, cyberterrorism and violent extremism, among others.
- In support of the ACT Wellbeing Framework, the ACT Government has a role to play in ensuring national security risks are identified, understood and mitigated. This work is led by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and Justice and Community Safety Directorate (JACS).

National Security Coordination Committee

- To ensure we maintain a coordinated and proactive approach to national security matters, in mid-2022, JACS established a National Security Coordination Committee (NSCC) to enhance cross Directorate visibility and mitigate identified risk where required.
- Through the NSCC, JACS are considering an appropriate framework for the ACT to identify, understand and mitigate national security risks.
 - The NSCC will enable a one government approach that supports the Chief Minister and Head of Service in their National Security responsibilities and participation in relevant intergovernmental forums including the National Cabinet and First Secretaries Group on National Security.
 - The NSCC will:
 - ensure members have a shared understanding of national security threats and risks to the ACT
 - provide a forum for members to provide strategic insights, alignment and direction on national security matters to protect people, information and assets from security threats
 - inform advice to government on national security matters and measures to respond to risks and opportunities

- set national security objectives for the ACT and consider activities to meet these objectives.
- The NSCC is chaired by the Director-General, JACS, and membership includes Deputy Directors-General from CMTEDD (PCD, Economic Development, WCAG, Treasury and DDTS), the ACT Deputy Chief Police Officer and senior officials from the JACS Security and Emergency Management Division.
- The NSCC held its inaugural meeting in June 2022 and has met twice.

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Secure meeting facilities

- We have improved our secure meeting capabilities with the installation of larger and more advanced secure telepresence facilities in ACT Government buildings that meet national security standards. These facilities will support meetings of ministers including in times of national crises.

Australian Government Critical Infrastructure Reforms (Chief Minister)

- Critical infrastructure is essential to the function of our daily lives in the ACT, and the ACT supports the focus by the Australian Government to strengthen the security of Australia's critical infrastructure.
 - The Australian Government has now switched-on obligations to enhance the security of our critical infrastructure assets. Officials are working closely across directorates on implementing these reforms and strengthening our cyber resilience in the ACT.

- The ACT remains engaged with the Commonwealth and state and territory governments to prepare for additional Commonwealth reforms that are anticipated in 2022.
- A range of critical infrastructure assets are captured by the Commonwealth *Security of Critical Infrastructure Act 2018* (Cth) within the ACT.
 - This means that new cyber security incident reporting obligations apply, and that these assets will be included as part of an Australia-wide Critical Infrastructure Asset Register administered by the Commonwealth.
 - Additional Territory-owned critical infrastructure assets may be identified as these reforms progress.
- The Security of Critical Infrastructure Working Group, led by the Security and Emergency Management Division, JACS, working closely with CMTEDD Data, Digital and Technology Solutions (DDTS) and other directorates, continues to coordinate activities required to support implementation of these reforms within the ACT Government and report to the Strategic Board on progress.
- The ACT also maintains its own critical infrastructure arrangements and relationships between government and non-government owners and operators.
 - This relationship was used to great effect during the 2019-20 bushfire season and more recently during the COVID-19 pandemic.

Foreign Interference (Chief Minister)

- The ACT values its open and transparent international engagement with other governments to progress matters of mutual benefit.
- The ACT partners with the Australian Government and other states and territories on efforts to protect our systems of government, democracy, critical infrastructure, education, media and communities.
- Unfortunately, some foreign actors pursue opportunities to covertly compromise Australia's cyber networks. This may include theft of sensitive data and intellectual property, interfering indecision making, or sabotaging Australia's critical infrastructure.
- Foreign interference and espionage activities go beyond routine diplomatic influence practiced by governments. Interference may be

coercive, covert, deceptive and clandestine in nature and could cause harm to the ACT's interests.

Counter Terrorism (Chief Minister)

- The ACT's reputation as a welcoming and inclusive city that encourages diversity is one of our greatest strengths against acts of terrorism and violent extremism occurring in Canberra.
- The ACT supports community leaders and activities to promote our vibrant, inclusive, and culturally diverse community while maintaining the rule of law and protecting human rights.
- However, the ACT, along with all states and territories, remains vulnerable to the growing threat of ideologically motivated violent extremism (IMVE). The drivers of IMVE are complex and unclear, making detection and disruption difficult for authorities.
- The ACT Government is committed to ensuring the safety and security of the Canberra community, working closely with ACT Policing and other law enforcement and intelligence agencies, including our interstate and Commonwealth partners, to counter terrorism and violent extremism.
- We need to keep our legislation and capabilities under constant review to meet evolving issues.

Ideologically motivated violent extremism and religiously motivated violent extremism (Chief Minister)

- The ACT's reputation as a harmonious, inclusive and cohesive community remains our best defence to violent extremism.
- The ACT's laws and arrangements focus on threat and criminality regardless of ideology or motivation.
 - Ideologically motivated violent extremists, specifically nationalist and racist extremists, are motivated by a wide variety of social, economic and political grievances.
 - Religiously motivated violent extremism and the violent narrative of some groups continues to appeal to a small number of people in Australia.

Cyber Security and Online Safety (Special Minister of State)

- Cyber security remains a top priority for the ACT Government.

- Cyber attacks have become more frequent and sophisticated in recent years and the ACT remains an attractive target for cyber criminals.
- The cyber threat is persistent. State actors, criminal syndicates, issue motivated groups and self-motivated individuals continue to target children, families, businesses, online critical infrastructure and intellectual property.
- Our specialist teams work to protect information managed by the ACT Government and are members of the National Cyber Security Committee to understand and respond to the cyber threat environment.
- The ACT remains engaged with the Commonwealth regarding the new cyber security obligations under the Commonwealth *Security of Critical Infrastructure Act 2018* (Cth).
 - A significant focus for these reforms is the strengthening of cyber security arrangements as they apply to critical infrastructure and systems of national significance.

Whole of Government Cyber Security Centre

- We are boosting our resilience to harmful security events by strengthening the ACT's cyber security system and establishing a Whole of Government Cyber Security Centre.
- In the 2021-22 reporting period, DDTS implemented a new security incident response system which provides enhanced visibility to monitor, track and investigate Cyber Security events.
- DDTS onboarded to the Australia Cyber Security Centre Protective Domain Name Service. This service helps to protect both the ACT Government and ACT Education Internet gateways and forms part of a defence in depth approach to help mitigate against a successful cyber-attack.

Issue: Women and the Wellbeing Impact Assessment (WIA)

Talking Points

- The Government continues to provide an annual Women's Budget Statement, providing commentary and supporting data on existing spending and new initiatives with a gendered impact.
 - The Women's Budget Statement is prepared annually as an action under the First Action Plan of the *ACT Women's Plan 2016-26*.
- Business cases for the 2022-23 Budget were required to complete a Wellbeing Impact Assessment, which asked drafters to identify how the proposal will impact the wellbeing of people from the eight specific groups identified in the ACT Wellbeing Framework, including across gender.
 - This year, over 180 Wellbeing Impact Assessments were reviewed by wellbeing discussion groups for the 2022-23 Budget Process, ensuring that proposals before Government considered the wellbeing impacts on our community.
- Looking forward, the **wellbeing dashboard** will continue to be developed so that the wellbeing of specific groups can be analysed and compared with the wellbeing of an 'average Canberran', including understanding wellbeing based on gender.
- We will work with both directorates and the community in building these profiles, including considering the intersectional issues relevant to such analysis.

Key Information

- In the 2022-23 Budget process, Wellbeing Impact Assessments (WIAs) were reviewed by Wellbeing Discussion Groups and a wellbeing impact summary was provided to ERC for each Budget meeting, covering all business cases/WIAs being considered at that meeting.
- The wellbeing impact summary provided to ERC included a short note on the gender impact/context of each proposal, drafted by the Wellbeing team in CMTEDD, based on analysis of each business case/WIA.
 - The note included gender impacts identified in the proposal, and in some instances where gender impacts were not identified, information and data to provide some context where a significant gender impact would be expected.
- The upcoming engagement process to develop the Third Action Plan under the *ACT Women's Plan 2016-26* will present an opportunity to explore with the

community how the government can further its maturity in considering gender impacts within the budget process.

ACT approach to Gender Responsive Budgeting (GRB)

- Working with the Office for Women, we are progressing the development of gender responsive budgeting in the ACT through an iterative approach and we are working to better support directorates to apply a gendered lens to Budget proposals.
- Both gender responsive budgeting and wellbeing approaches use a range of tools and practices to consider the impacts proposals have on women and girls. There is significant overlap between wellbeing budget practices and gender responsive budgeting tools and practices. A wellbeing budget approach considers the effects of proposals on the various elements that influence wellbeing, including any gendered impacts.
- Currently, Wellbeing Impact Assessments support a gender perspective on budgeting. Wellbeing Impact Assessments are required for each business case that comes into the Budget process. The Wellbeing Impact Assessment template asks drafters to identify how the proposal will impact the wellbeing of people from the eight specific groups identified in the ACT Wellbeing Framework, including across gender.
- The current ACT approach to GRB includes:
 - continuing to incorporate a gender perspective in initiative planning and decision-making through implementation of the Wellbeing Framework, including Wellbeing Impact Assessments (WIAs);
 - producing supporting resources for directorates to assist in considering gender in WIAs, as a deliverable under Action 5.2 of the Second Action Plan of the *ACT Women's Plan 2016-26*;
 - continuing to produce an annual Women's Budget Statement as part of the Budget papers; and
 - developing the Third Action Plan of the *ACT Women's Plan 2016-26*, with the view to incorporating further consideration of gender impacts as part of the WIAs at early stages of policy and program development, as well as at the Cabinet and Budget decision-making stages.
- A gender impact analysis tool was developed as an action under the First Action Plan under the *ACT Women's Plan 2016-26*. This tool is available to directorates to use in their policy and project planning.
- The gender impact analysis tool informed the development of the WIA used in both Cabinet and Budget processes.
- In early 2021, CSD engaged two academics, Professors Monica Costa and Rhonda Sharp, to support work to increase the ACT Government's capacity for gender analysis and GRB.

Background to GRB

- GRB typically involves two elements:

- incorporating a gender perspective in budget planning, through analysing how budget initiatives impact people of different genders in different ways; and
- ensuring the allocation of resources through Budget processes contributes to gender equality.
- GRB depends on access to gender-disaggregated data. The wellbeing data dashboard currently includes data disaggregated by gender for approximately two thirds of the measures where data could potentially be disaggregated (noting that many measures either do not relate to people, such as water quality, or are measured at a household level). However, implementing GRB would require additional work across directorates to source gender-disaggregated data related to Budget initiatives.
- GRB is supported by performance and accountability indicators with a gender focus and work may be needed across the ACTPS to understand the gender dimension of existing and planned performance and accountability indicators.

Supporting women in the ACT

- In the latest *Living Well in the ACT Region Survey (2021)*, women were more likely than men to report poorer mental health, dissatisfaction with how they spent their time and lower confidence their voice and perspectives were heard.
- Recognising that preventing gendered violence in all its forms is crucial to ensuring a gender-equal community, the 2022-23 Budget provides \$24 million over four years for new or expanded programs and actions to prevent and respond to sexual assault and family and domestic violence. This brings the total funding to address domestic and family violence and sexual violence prevention and response to more than \$70 million over four years.
- A range of 2022-23 Budget initiatives will also support improving outcomes for women in the ACT, including:
 - improving women's health services by reducing the cost of surgical and medical abortions and expanding maternity services;
 - improving supports and outcomes for Canberra's carers, including funding for community-based initiatives and awareness-raising activities;
 - strengthening homelessness services and expanding the Government's investment in social housing; and
 - further embedding flexible working arrangements within the ACT Public Service and strengthening diversity and inclusion programs.

Issue: Cabinet and Document Release

Talking points:

Parliamentary and Governing Agreement Commitment

- The Government is examining options to increasing open and transparent access to government information, thereby reducing the need for Freedom of Information Act applications. There is a Parliamentary and Governing Agreement Commitment (097) in relation to this.
- JaCS and the Territory Records Office are working together on opportunities to increase transparent government and access to information.
- One element of the work that forms part of this commitment is ongoing administrative improvements to Executive Document Release.
- CMTEDD have implemented improvements during 2022 to administrative processes to facilitate access and awareness of Executive Document release processes. This includes publication online (through ACT Memory) of all executive records that have been released to applicants so that they are accessible online to the public.
- The modified Executive Document release process is designed to achieve:
 - a) appropriate processes for the receipt and consideration of Executive Document requests in line with the requirements of the Act;
 - b) timely access to government records;
 - c) an independent decision-making process;
 - d) clear communication regarding the outcome of legislated processes for release considerations; and
 - e) Ministerial awareness of matters that have been the subject of an Executive Document release decision.
- The ACT Government will continue to explore opportunities to improve administrative processes to increase open and transparent access to government information.

Lee FOI Amendment Bill

- The ACT Government is aware that Ms Lee MLA has released a consultation draft of a Freedom of Information Act Amendment Bill with consultation to conclude on 26 August 2022.
- The Government will consider a response to the Amendment Bill following its introduction in the Legislative Assembly.

Key Information

- The ACT applies a nation-leading regime for transparency around Cabinet records, which includes:
 - providing publicly accessible summaries of decisions and Wellbeing Impact Assessments shortly after Cabinet meetings,

- making full Cabinet records accessible on application quicker than other jurisdictions, and
- alerting the public to the cabinet records that become available each Canberra Day.
- The community can access information in relation to Cabinet decisions and how to access Cabinet Documents from a prominent location on the Open Government website: https://www.cmtedd.act.gov.au/open_government.

Cabinet decision summaries (Open Access information)

- Section 23 of the *Freedom of Information Act 2016* requires the Chief Minister to make information publicly available about each Cabinet or Cabinet committee decision made after commencement of the Act, including:
 - a summary of the decision
 - the decision reference number
 - the date the decision was made
 - the wellbeing impact assessment summary for the decision included in the Open Access Assessment: Cabinet Decision and Wellbeing Impact Assessment summary template.
- In the 2021-22 financial year, 458 decision summaries have been published on the Open Government website: https://www.cmtedd.act.gov.au/open_government/inform/cabinet-decisions.

Open Access	Decision Period	No. of Decisions	Notes
Published in 2021-22FY	18/05/21 - 31/03/22	458	This includes 11 decisions from 2020-21FY that were published in 2021-22FY
Total number of Decisions for 2021-22FY that have been published	01/06/21 - 30/06/22	604	This includes 157 decisions from 2021-22FY that were published in 2022-23FY

- There is no statutory timeframe for the release of Cabinet Decision and Wellbeing Impact Assessment Summaries.
- The most recent publication was for June 2022 decisions, published in the week commencing 22 August 2022.
- The Cabinet Handbook notes that “Generally, decisions could be expected to be published 28 days after they are made, with the possibility that publication of a decision may take longer where additional information is required for the Chief Minister to make a decision on the public interest of release”.

Executive Document Release

- Cabinet documents become accessible to the public after ten years under Part 3A of the Act. Under section 31C of the *Territory Records Act 2002*, the list of records that are available must be published electronically every Canberra Day.

- The most recent listing of ACT Executive documents released on Canberra Day 2022, included 475 items.
- In the 2021-22 financial year:
 - five applications were made for executive documents; and
 - 476 executive documents were requested in total.

Executive Document Release	No of Requests	No. of Documents	Notes
Executive Documents Released 2021-22FY	3	28	This includes 2 Requests (totalling 17 documents) requested in 2020-21FY that were released in 2021-22FY
Executive Documents Requested 2021-22FY	5	477	This includes all the 2022 Canberra Day List and one each from 2021 and 2014 Canberra Day Lists. Of these 24 release decisions and 23 executive documents (1 was non-release) have been published so far in the 2022-23FY.

- Accessible Executive Documents requested by members of the community are reviewed by a Principal Officer, in accordance with the *Territory Records Act 2002*. Decisions made by a Principal Officers in response to requests for Accessible Executive Documents on or after 14 March 2022 are available online with the associated released Executive Documents.
- 23 Executive Documents are currently published online, further releases will continue to occur as release decisions are made. These can be found at:
 - Release Decisions and Restraint Determinations:
<https://act.accesstomemory.org/informationobject/browse?collection=45194&topLod=0>
 - Published Executive Documents from the Seventh Legislative Assembly
<https://act.accesstomemory.org/informationobject/browse?collection=46303&topLod=0>
- There is no statutory timeframe for the release of executive documents in the Territory Records Act 2002. However, the Cabinet Office has **previously** indicated 8-12 weeks as an indicative timeframe for applications. This timeframe is not currently promoted.
- The time taken to respond to requests can increase due to the need to consult with directorates, the Government Solicitor's Office and relevant third-parties. Support provided by Cabinet Office to the ongoing COVID-19 response has also broadly contributed to delays.

Background Information

- Prior to release, an accessible executive record must be assessed to determine whether it contains information that would, or could reasonably be expected to:
 - a) endanger the life or physical safety of a person; or
 - b) be an unreasonable limitation on a person's rights under the *Human Rights Act 2004*; or

- c) significantly prejudice an ongoing criminal investigation.
- A principal officer (the relevant Director-General or CMTEDD Deputy Director -General) may determine (by a release restraint determination) that for any information (protected private information) that would, or could reasonably be expected to, disclose personal information about any person (including a deceased person) and is contrary to the public interest information—
 - (i) That the part containing the information is only to be released on or after the later release day; or
 - (ii) That the part containing the information is not to be released at all.

Issue: Wellbeing Project – integration of Policy Design and Evaluation

Talking points:

In July 2022, Policy and Cabinet Division's Policy Design and Evaluation (PDE) team formally joined the Division's Wellbeing Branch; it was previously part of PCD's Social Policy Branch.

The move reflects the strong alignment, complementarity, and emerging opportunities that exist across the wellbeing-related work and the ACT Government's commitment to strengthening our maturing evaluation culture.

A critical element of both implementing wellbeing-led policies and programs, and understanding their impact, is building the evidence base to support the design of these policies and programs, and to help evaluate them. The Branch will work towards this by:

- continuing to deepen our understanding of wellbeing in the ACT supported by work such as the University of Canberra's *Living Well in the ACT Region* survey, through dashboard updates, and by producing insights reports based on emerging evidence,
- interrogating correlations, linkages, and trade-offs across the full range of wellbeing domains and measures, to help identify policies and programs that have the potential to maximise wellbeing gains for the ACT,
- developing an Evaluation Plan or Framework for the Wellbeing Framework itself, and to assist with embedding wellbeing in the budget process by evaluating the Wellbeing Impact Assessment process that occurred in the 2022-23 Budget process,
- carrying out a select number of strategic evaluations that include collection of relevant data, including data on the wellbeing of ACTPS staff:
 - building on last year's evaluation of occupational violence experienced by nurses and midwives in the ACT, the team plans to support the Chief Nursing and Midwifery Officer with evaluating the impact of Nurse-to-Patient ratios,
 - reviewing the Office for Climate Action,
 - delivering the Mid-Term Review of the Preventive Health Plan, the first whole-of-government launched under the Wellbeing Framework,
- continuing to engage with ACT research partners to explore opportunities to expand our knowledge of specific cohorts in the ACT:
 - an example is the potential for further work with Professor Ray Lovett's group at the ANU to better understand issues that affect the wellbeing of the Aboriginal and Torres Strait Islander community in the ACT.

The work done by the PDE team over the last two years also dovetails with the Wellbeing Team's existing capability-building focus across the Service, and the now-combined Branch will continue this work during 2022-23 by:

- measuring our progress and making updates to the wellbeing dashboard,

- delivering insights to inform Government ahead of their Budget agenda setting and prioritisation decisions,
- re-engaging with the community on how we are doing, as individuals, as a community, and as a place to live, including with specific groups,
- rolling out another round of the *ACT Evidence and Evaluation Academy* with a focus on how to evaluate in the wellbeing era (to date the Academy has trained around 40 ACTPS policy officers) and considering additional approaches to building an evaluation culture across the Service,
- further roadshows and education pieces to increase the robustness of Wellbeing Impact Assessments (WIAs), including updates of the Wellbeing Toolkit, and the
- continuation of the Community of Practice, Speaker Series events (3-4 per year) and regular Policy Notes (around 25 per year) which are now reaching over 300 staff across the ACTPS.

Previous work to develop an ACT Government Design Wheel and policy design and evaluation toolkit/s and other resources will now also be extended, and the Branch's combined skills will be applied to lead the Service through work in areas including:

- putting wellbeing and evaluation-readiness at the centre of policy and program development by building it into our day-to-day practices,
- the review of the ACTPS Strategic and Accountability Framework, commencing with an initial project on Complementary Performance Reporting, and
- a refreshed ACT Evidence and Evaluation Policy (an update for the 2010 policy) taken to Strategic Board on 3 August 2022, with discussion continuing:
 - this will inform further work on the prioritisation of strategic evaluations, (including wellbeing-driven evaluations across the Service); will support a Register of Evaluations; and could lead to the development of an ACT Evaluation Forward Plan based on the Wellbeing Evidence Program.

The integrated Branch will collaborate on all core business, such as updating Annual Reports, staff training and development, briefing Ministers, and in various governance and leadership roles including through briefing Strategic Board.

Background Information

The PDE team in PCD was funded in the 2018-19 Budget as part of the wider *Policy Innovation Team* initiative, with activity commencing in late 2019. The team was funded through to 2021-22.

A decision was taken by Government in the 2021-22 Budget to bring the PDE team within the wellbeing team structure to give evaluation even greater prominence in the context of the Wellbeing Framework as part of building the evidence base around wellbeing. This step recognises the commitment the Government and the Service have to understanding and enhancing the wellbeing of Canberrans.

Issue: Intersex Project (*future focus on 2022/23 budget*)

Talking points:

- As part of the *Capital of Equality* Strategy, the government is collaborating with intersex people, human rights organisations and healthcare professionals on protecting the human rights of intersex people in the context of medical interventions.
- This work is based on recognition of the Darlington Consensus Statement on intersex human rights and exploring how it impacts on the ACT.
- To inform the development of policy, consultation with experts and intersex community representatives across the ACT and Australia is being undertaken. This includes the health, human rights, LGBTIQ+ and legal sectors.
- There have been three rounds of stakeholder consultation; on a discussion paper in December 2020-February 2021, an options paper in June-August 2021 and draft legislation released for public comment in May-July 2022. Leading Australian legal experts provided advice at a workshop in April 2021. Material, including listening reports, about these consultations is publicly available on the Office of LGBTIQ+ webpage.
- Close engagement with health professionals and medical associations is important and the ability to work with the health community has been significantly limited by the current COVID-19 response. During the consultation on the draft legislation two workshops were held with health professionals, including representatives from relevant health professional organisations.
- The Office of LGBTIQ+ Affairs is using feedback received from stakeholders during the consultation to refine the draft legislation.
- Throughout all consultation stages, stakeholders have emphasised the need for new resources to improve the provision of psychosocial and peer support services to people with variations in sex characteristics and their families.

Key issues

- These reforms have looked at three key aspects of the issue, including:
 - A regulatory framework to govern certain medical interventions on people with variations in sex characteristics in situations where they cannot consent;
 - Psychological, psychosocial and peer supports for people with variations in sex characteristics and their families; and
 - Professional development and community education.
- The draft legislation proposes a regulatory framework requiring authorisation by a new statutory body for medical interventions that would permanently and irreversibly affect the sex characteristics of a person with a variation in sex characteristics, other than in a limited number of exceptions. Proposed exceptions include:
 - emergency treatment,
 - where the individual provides their consent, or
 - male circumcision.
- The new statutory body would be tasked with assessing whether a proposed intervention should be deferred, and whether individuals and their families have received evidence-based advice and adequate support for medical decision making.

- Funding has been allocated in the 2022-23 budget for:
 1. Administration of the new statutory body that the legislation will establish
 2. New peer support services
 3. Community awareness and education
 4. Training for health professionals
 5. New psychosocial care unit for people with variations in sex characteristics

Background Information

Administration of the new statutory body that the legislation will establish (CMTEDD)

- The proposed legislation would establish a new statutory body with a role, in some circumstances, to consider whether to authorise a proposed medical treatment.
- This Budget funds establishment and functioning of this new body, including two ongoing full-time roles and costs associated with engaging specialists' services and expert advice (such as a capacity assessment or a child advocate).

New peer support services

- The importance of peer support was raised by stakeholders as a crucial factor in improving the wellbeing of people with variations in sex characteristics. Peer support will be available to people with variations in sex characteristics, and their parents and families.
- The government will fund a full-time intersex project officer role with A Gender Agenda, Canberra's intersex peer support organisation.
- In addition a \$15,000 peer support fund has been established to allow for as-needed peer support from national organisations that are specific to particular variations. The rarity of some variations means that a national organisation may be best placed to provide this.

Community awareness and education (CMTEDD)

- The level of awareness and understanding of the experiences of people born with variations in sex characteristics in the general community is very low. To increase awareness, especially among families and prospective parents, a roll-out of education and community awareness activities is planned to occur around the time the Government introduces legislation.
- This will include targeted information sharing with community partners and primary care providers, increasing general community awareness through social media, radio and brochures. This funding is for \$30,000 over two years from 2022-23.

Training for health professionals (CHS)

- The planned legislation will create new processes for providing care to people with variations with sex characteristics and it is vital that the health professionals who care for them are supported to provide best practice care and comply with the new processes.
- Funding provided in the Budget will allow for the engagement of a consultant and a part-time registered nurse to develop and deliver the training packages.
- The development and delivery of training packages is anticipated to take place over the next two years, with elements to continue on an ongoing basis for new health professionals.

New psychosocial care unit

- A model for the provision of psychosocial care is being developed. This includes reviewing stakeholder feedback, interviewing international experts in the field and reviewing published literature about best practice provision of such support.
- The model will include resourcing towards care coordination, clinical psychology and social work to support children with variations in sex characteristics and their parents.

Consultation and engagement on draft legislation

- An inter-directorate committee has supported the project. CMTEDD, Health, CHS, JACS and the HRC are represented on the group.
- In 2020, the Directorate consulted directly with individuals who have variations in sex characteristics, in which strong support for regulatory intervention and greater psychosocial and peer support was expressed. There was also consultation with health professional organisations, human rights and LGBTIQ+ community organisations.
- In April 2021 the Office of LGBTIQ+ Affairs convened a workshop of legal experts including law academics, representatives from both the ACT and Australian Human Rights Commissions and lawyers in private practice, to discuss key legal issues in the development of potential legislation. This workshop advised on the legal feasibility of some of the key approaches under consideration and helped narrow the focus to what is described as a regulatory framework. A report was publicly released from this workshop.
- In 2021, the Directorate consulted with stakeholders about the primary option under consideration, a legislative approach, and asked their advice about key aspects of its design.
- During the 2020 and 2021 consultation rounds we received submissions from intersex and LGBTIQ+ organisations as well as from health professionals and their organisations, including organisations for mental health professionals. Following these rounds of consultation, the Directorate developed draft legislation. This is titled the *Variation in Sex Characteristic (Restricted Medical Treatment) Bill 2022*.
- The Directorate published the draft legislation for public consultation from May-July 2022.
- In response to this, 70 written submissions were received from health professionals, intersex and LGBTIQ+ organisations, parents of potentially effected people, and legal and human rights organisations.
- Alongside written submissions with four targeted workshops with key stakeholder group were held for:
 1. Health professionals within the ACT
 2. Health professionals from relevant medical colleges and professional bodies
 3. Legal and human rights professionals
 4. Intersex community members.
- An additional 10 external stakeholder meetings were held, including with religious leaders who we sought out to understand how the legislation might affect their communities.
- The feedback received through the consultation spans those who want the bill to be broader and provide stronger protections to those who oppose legislation.
- Consultation with health professionals has included receiving written submissions from both individuals and professional bodies to all consultation phases, workshops held with relevant CHS staff, a workshop with interstate specialists in the field and representatives from professional bodies. The views of health professionals have played an important role in

shaping the development of this work to date, and will continue to play a crucial role into the future.

- A listening report was published on the Office of LGBTIQ+ Affairs webpage for both previous rounds of consultation, and we anticipate publishing a similar one for the 2022 consultation on the draft legislation.
- The common ground between all stakeholders includes recognition there were at least some medical interventions that were best deferred, and that people with variations in sex characteristics represent a diverse group with significant diversity in healthcare needs. As such, any approach to this issue was described as needing to be sensitive to the circumstances of individuals.
- There was also strong support from submissions regarding the need for increased psychosocial and peer support for individuals and the families.

Issue: Implementation of the Capital of Equality Second Action Plan (future focus on 2022/23 budget)

Talking points:

- The Capital of Equality Strategy (the Strategy) is a whole of the ACT Government commitment to ensure inclusion and equitable outcomes for LGBTIQ+ Canberrans.
- The Strategy is being implemented through action plans. The First Action Plan was completed in 2021. The Second Action Plan (2022-2023) was launched in March 2022.
- The Budget provides new funding of \$1.008m over four years to enhance the following actions under the Second Action Plan:
 - \$500,000 over 2022-23 and 2023-24 for the expansion of the Capital of Equality grants Program to provide better support for grassroots LGBTIQ+ organisations.
 - \$374,000 over four years (indexed and ongoing) to increase resourcing for the existing Supporting and Strengthening ACT LGBTIQ+ Communities Program. This will be achieved through grant funding to Meridian to increase their capacity to provide training on LGBTIQ+ awareness, as well as additional funding to run the CBR Pride Hub and CBR Fair Day events.
 - \$55,000 in 2022-23 to develop an LGBTIQ+ information hub, \$55,000 in 2023-24 for an evaluation of the Capital of Equality Strategy, and ongoing indexed funding of \$6,000 per year for the renewal of Pride in Diversity membership.

Background Information

Achievements to date under the Capital of Equality Strategy

- Since the 2019, the following has been achieved through the implementation of the First Action Plan of the Capital of Equality Strategy:
 - Harmful sexuality and gender identity conversion practices were banned. *The Sexuality and Gender Identity Conversion Practices Act 2020* came into effect on 4 March 2021.
 - *The Births, Deaths and Marriages Registration Act 1997* was amended to improve processes for changing birth registration and birth certificates for trans and gender diverse young people. *The Births Death and Marriages Amendment Act 2020* came into effect on 20 August 2021.
 - The Office of LGBTIQ+ Affairs worked with the intersex community to develop a plan to improve health care of people with variations in sex characteristics.
 - Additional funding was provided to A Gender Agenda to fund an Intersex Project Officer position at A Gender Agenda.
 - The government invested in LGBTIQ+ support systems for Canberra's schools including the Safe and Inclusive Schools initiative.

- Specialist, peer-led and community-controlled services, such as Meridian and A Gender Agenda were funded to provide psychosocial and peer supports to LGBTIQ+ Canberrans during the COVID-19 pandemic.
- Since 2019 through the Capital of Equality Grants Program, \$400,000 have been provided to over 39 innovative initiatives that gave LGBTIQ+ Canberrans opportunities for connection, belonging and community.
- The Government funded research to better understand the lived experiences of LGBTIQ+ Canberrans and barriers to equality. The ACT Health Directorate completed a scoping study to identify the barriers to accessing health services for LGBTIQ+ Canberrans.
- The Government invested in the ACT component of the *Writing Themselves In 4* study conducted by researchers at La Trobe University. We now have comprehensive information about the health and wellbeing of 300 young sexuality and gender diverse Canberrans.
- The First Action Plan laid a solid foundation to continue improving services and eliminate disadvantage, discrimination, and marginalisation for LGBTIQ+ Canberrans. The Second Action Plan was developed building on its success and progress.

Development and Implementation of the Second Action Plan

- The Second Action Plan was developed during 2021-2022 by the Office of LGBTIQ+ Affairs which undertook the following activities in that process:
 - undertook an analysis of existing research through a comprehensive literature review;
 - ran a series of community consultations with a range of stakeholders such as LGBTIQ+ peer-led organisations, organisations and groups working with and/or led by LGBTIQ+ Aboriginal and Torres Strait Islander peoples and LGBTIQ+ culturally and linguistically diverse people including those who are migrants or refugees, as well as settlement and refugee support services, among others;
 - sought advice on the priorities from the Territory's LGBTIQ+ Ministerial Advisory Council;
 - worked closely with directorates to finalise priorities.
- Through community consultations the Office of LGBTIQ+ Affairs identified that a number of systemic issues and gaps impinge on opportunities for LGBTIQ+ Canberrans to live their lives to the fullest potential enjoying equal rights. The following has been reported:
 - high prevalence of homelessness among LGBTIQ+ Canberrans in particular young people, trans and gender diverse people and those who are from migrant or refugee backgrounds;
 - inequitable access to health services and issues with LGBTIQ+ inclusion;
 - limited access to LGBTIQ+ inclusive and culturally safe mental health services (in particular for trans and gender diverse people and those living on temporary visas);
 - under-resourcing of peer-led and community-controlled organisations;
 - intimate partner and family violence;
 - substantial data gaps on a range of experiences of LGBTIQ+ Canberrans; and
 - discrimination in some areas of law and policy.

- Available data from the *Writing Themselves in 4* and *Private Lives 3* reports also supports such work.
- The Second Action Plan presents 17 actions across eight focus areas.
 - Visibility and inclusion;
 - Better community support;
 - Access to inclusive education;
 - Improving health outcomes;
 - Addressing homelessness;
 - Safety from harm and violence;
 - Law reforms for equality; and
 - Inclusive data collection.
- There are five flagship actions in the Plan:
 - Support local LGBTIQ+ projects through the Capital of Equality Grants Program – this action is led by the Office of LGBTIQ+ Affairs;
 - Co-design a gender-focused health service with NGOs and LGBTIQ+ stakeholders – this action is led by the ACT Health Directorate and draws on the recommendations from the LGBTIQ+ Health Scoping Study;
 - Introduce new legislation to regulate medical interventions on intersex people – this action is led by the Office of LGBTIQ+ Affairs;
 - Enhance ACT legislation to further embed inclusion and equality for trans, gender diverse, queer and intersex people – this action is led by the Justice and Community Safety Directorate
 - Establish a whole of government Data Collection framework for Sex, Gender, Sexual Orientation and Sex Characteristic – this action is delivered by the Office of LGBTIQ+ Affairs, Office for Women and ACT Data Analytics Centre.
- The Second Action Plan takes an intersectional approach to addressing equity issues for LGBTIQ+ Canberrans. While some actions are relevant to the LGBTIQ+ communities in their diversity, others identify specific cohorts. For example, there are actions such as a co-design of a gender-focused health service whose primary beneficiaries are trans and gender diverse people. Similarly, the Capital of Equality Grants Program will prioritise projects run by LGBTIQ+ Aboriginal and Torres Strait Islander peoples, LGBTIQ+ people with disability and LGBTIQ+ from culturally and linguistically diverse backgrounds.
- In 2022-2023 the Office of LGBTIQ+ Affairs will embark on the formal evaluation of the Capital of Equality Strategy in order to determine next steps after the completion of the current Strategy.

Capital of Equality Grants Program

- Since 2019, 39 community projects have been funded through the Capital of Equality Grants Program:
 - 2019-20 cycle – 10 projects;
 - 2020-21 cycle – 10 projects;

- 2021-22 cycle – 10 projects; and
 - 2022-23 cycle – 9 projects.
- Types of project funding including provision of services, increasing capacity of services and organisations to work with LGBTIQ+ communities, increasing opportunities for LGBTIQ+ Canberrans for connections, organisation of events including sport and art, funding of research, etc.
 - Target groups of funded projects included the following:
 - 87% of projects (26 projects) were for the whole of LGBTIQ+ community (i.e. without specification of other diversity characteristics). Out of these, 30% of projects were specifically engaging with LGBTIQ+ youth, 15% with LGBTIQ+ older people; 15% with trans people and 7% with intersex communities.
 - 23% of projects (7 projects) were for and run by LGBTIQ+ people of colour, migrants and refugees;
 - 10% of projects (3 projects) were run for or by LGBTIQ+ Aboriginal and Torres Strait Islander peoples;
 - Two projects were for people with disabilities and one project for HIV positive people.

Issue: Climate Change in the ACT

Talking points

2022-23 Budget – Climate Action Measures and Projected Achievements

- The 2022-23 Budget includes \$119 million funding allocated to climate action initiatives which span across reducing transport emissions, continuing work on the government’s gas transition pathway, improving environmental resilience and reducing ACT Government emissions.

2022-23 Budget Measures: Key Messages

Key Message	Government Action
The ACT has been insulated from energy price shocks	<ul style="list-style-type: none"> • The cost of living and the transition to clean energy are important issues for Canberrans. Recent media in the ACT has reported on electricity price drops in Canberra during 2021-22 due to the large-scale feed-in tariff scheme. • The ACT does not produce greenhouse gas emissions from our electricity supply since 2020. Budget spending since 2020-21 has focused on transitioning the ACT away from fossil-fuel-gas, and providing support to Canberrans in public housing, community housing, private rentals and low-income households to be involved in the transition to clean energy. • The ACT Government’s commitment to deliver a ‘Big Canberra Battery’ of up to 250 MW will further support the provision of 100% renewable electricity and contribute to grid reliability in the ACT, particularly through large-scale grid-connected batteries and neighbourhood-scale batteries across Canberra.
Canberrans are investing in renewable energy and making climate-friendly behaviour changes	<ul style="list-style-type: none"> • The ACT Government is actively working to phase out the use of fossil-fuel-gas from its government buildings and from households and businesses to meet its legislated net zero emissions target by 2045. Programs such as the Sustainable Household Scheme, Energy Efficiency Improvement Scheme, the Home Energy Support

	<p>Program and the Business Energy and Water Program have been continued in 2022-23 to progress this work.</p> <ul style="list-style-type: none"> • Behaviour change is an important part of encouraging people to transition from gas use. An extensive communications program will be delivered over the coming twelve months to raise awareness and support people in transitioning to electric technologies. • The launch of the ACT Government’s Everyday Climate Choices website has further supported behaviour change by providing Canberrans with information and incentives available to phase out household and business gas appliances in favour of zero emissions alternatives.
<p>Transitioning to renewable energy eases cost of living pressures and addresses equity issues</p>	<ul style="list-style-type: none"> • The ACT Government is phasing out the use of fossil-fuel-gas use in government buildings and delivering several programs to support Canberrans transition away from gas to electric in their homes and businesses to support a fair and equitable transition for all ACT residents. • The introduction of minimum energy efficiency standards in rental properties will support rental homes to maintain thermal comfort and low energy bills as the scheme is phased in over four years. • The launch of the Home Energy Support Program will ensure public housing dwellings are also supported in the transition to all-electric appliances, with this program to expand to low-income homeowners, community housing tenants and private rental properties. • The ACT Government further supports Canberrans experiencing energy hardship by providing concessions and financial support such as the Utilities Concession and free Home Energy Assessments to support the thermal comfort and energy efficiency in rental homes.
<p>The ACT will support the acceleration of federal climate action</p>	<ul style="list-style-type: none"> • The ACT’s early action on financial incentives for zero emissions vehicles and its release of the Zero Emissions Strategy 2022-2030 will support the federal commitment to introduce an effective nation-wide zero emissions vehicle strategy.

	<ul style="list-style-type: none"> • The ACT Government further supports the Federal Government’s commitment to improving grid reliability and modernisation outlined in Federal Labor’s Powering Australia and Rewiring the Nation strategies. This includes the federal commitment to support three neighbourhood-scale batteries in Canberra.
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Projected Achievements in 2022-23

The Office for Climate Action will support the development of several climate action policies and programs across government over the coming 12 months.

- The OCA has supported the development of the recently released *Zero Emissions Vehicle Strategy 2022-2030* and will continue to support the implementation of this Strategy in collaboration across government.
- The Sustainable Household Scheme has been taken up enthusiastically by Canberrans, with an average of \$1.5 million in loans applied for each week. The SHS expanded in 2021 to include ZEVs and EV charging infrastructure.
- The OCA further collaborates with the Gas Transition Taskforce, led by EPSDD. \$4.8 million has been allocated over forward years to continue the Gas Transition Taskforce and deliver the ACT Government’s first gas transition plan. It will also lead development of a regulation to prevent new gas connections in certain developments and communications and education to support the community in making the transition.
- The Home Energy Support Program was launched in March 2022 to support low-income households to improve energy efficiency and save money on energy bills. The first stage of this program commits \$3.1 million to provide rebates of up to \$2,500 to eligible lower income homeowners to install rooftop solar. The program will expand in 2022 to include an additional rebate of up to \$2,500 for other energy efficient products, including heating and cooling systems, insulation, and hot water heat pumps.

- The ACT Government's Climate Change Risk Assessment Report was finalised by AECOM in 2021. Further work following the release of this Report will involve working across government to action key risks identified including flood behaviour modelling studies to address flood risks in parts of the ACT.
- The ACT Government is a leading partner of intergovernmental progress on climate action, including as a co-founder of the Net Zero Emissions Policy Forum.

2022-23 Budget – climate action initiatives

2022-23 Budget (new funding only)		Total funding: over \$119 million	
Initiative title	Ministerial Portfolio	Description	Funding
Households			
VHESS (Public Housing)	Minister for Climate Action; Minister for Energy, Water and Emission Reduction; Minister for Housing and Suburban Development	To design work program of the Home Energy Support Program including assessment of energy needs in public housing for energy efficiency upgrades.	\$1.4 million over four years.
VHESS (Community Housing and Private Rentals)	Minister for Climate Action; Minister for Energy, Water and Emission Reduction; Minister for Housing and Suburban Development	Funding to deliver the VHESS in community housing, private rentals and for low-income homeowners. Focuses on energy efficiency upgrades to reduce emissions and reduce energy hardship for affected community members.	Funding offset.
Sustainable Household Scheme – Next Steps	Minister for Climate Action	Funding arrangements to progress the Sustainable Household Scheme.	Funding reprofiled.
Adaptation and resilience			
Building Climate Adaptation and Resilience for the ACT Government	Minister for Climate Action	To undertake flood behaviour studies.	Funding reprofiled.
Keeping Canberrans Safe: Bushfire Risk Reduction - Inner and Outer Protection Zone and Strategic Asset Protection Zone - responding to zoning	Minister for Planning and Land Management	Directly funding work to protect new asset protection zones around suburban interface.	\$2.3 million over four years.

changes in the Strategic Bushfire Management Plan			
Securing Offset Values along the Eastern Broadacre Employment Corridor	Minister for Planning and Land Management; Minister for the Environment	Direct funding to support the maintenance of unfunded offset sites identified under the Eastern Broadacre Strategic Assessment.	\$468,000 over two years.
Protecting Canberra's unique environment – Managing invasive species – additional resourcing	Minister for Planning and Land Management; Minister for the Environment	To address climate-driven incursion of invasive species in the ACT.	Fully offset by Commonwealth funding.
Ensuring a holistic and coordinated approach to water management in the ACT - Office of Water	Minister for Energy, Water and Emission Reduction	Proposal to establish Office of Water with aim to implement governance reforms and deliver water policy initiatives.	\$1.59 million over four years.
Strengthening Environmental Protections in the ACT (EPA)	Minister for the Environment; Minister for Business and Better Regulation	Staffing for EPA to address environmental impacts of increased business and development activity, and to embed 'right to a healthy environment' commitment.	\$722,000 over four years.
Connecting Nature Connecting People	Minister for the Environment; Minister for Planning and Land Management	Direct adaptation measures including Living Infrastructure Plan projects.	\$2.9 million over four years.
Preventing Stormwater Damage	Minister for Transport and City Services; Minister for Police and Emergency Services	Direct funding request to improve ageing stormwater network to address flood risks.	\$5.6 million over 2023-24 and 2024-25.
Urban treescapes ICT system design	Minister for Transport and City Services	Funding sought for business information system set up in preparation of Urban Forest Bill coming into effect – long-term urban forest management.	\$250,000 in 2022-23.
Government assets and operations			
Office for Climate Action	Minister for Climate Action	Staffing to continue the Office for Climate Action (CMTEDD), and to implement public financial management system process improvements across Government for climate-related expenditure.	\$4.95 million over four years.
Electric government facilities transition - 255 Canberra Avenue	Minister for Transport and City Services	Ending gas use through replacement of end-of-life gas heating, ventilation and cooling (HVAC) system at a major ACT Government building.	\$7 million over four years.

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Electrification of Government gas assets	Minister for Energy, Water and Emission Reduction	To establish a program of works to replace gas assets in Government buildings with zero emissions electric systems.	\$1.4 million over four years.
ESA Vehicle Replacement Program	Minister for Police and Emergency Services	Proposal to access provisioned funding to introduce zero emission vehicles into ESA's fleet.	\$131,000 over four years.
Zero Emission Transition Program (including 90 Battery Electric Buses)	Minister for Transport and City Services	Overarching program to design and build the electrical and depot infrastructure to enable the procurement of battery electric buses.	\$58.5 million over four years.
Energy			
ACT Distributed Large Scale Battery Storage System - Stream 1 (Large Grid Connected Batteries)	Minister for Climate Action	Funding to continue the Big Canberra Battery project for large scale grid connected batteries.	Previously provisioned.
Development of an Integrated Energy Plan: Gas Transition Next Steps	Minister for Energy, Water and Emission Reduction; Minister for Climate Action	Funding to develop plan to deliver government commitment to phase out fossil fuel gas use in the ACT.	\$4.8 million over four years
Transport			
Zero Emissions Vehicle Strategy	Minister for Energy, Water and Emission Reduction	Direct funding to deliver policies to increase uptake of zero emissions vehicles and reduce transport emissions.	\$11.6 million over four years
Active Travel Omnibus	Minister for Transport and City Services	Direct mitigation and adaptation benefits from three main active travel projects.	\$4.4 million over four years
Waste			
A new green waste facility for Canberra's Northside	Minister for Transport and City Services	To relocate the Northside green waste facility in Belconnen.	\$11 million over four years.

2021-22 Budget – climate action initiatives

2021-22 Budget (new funding only)		Total funding: over \$65 million	
Initiative title	Ministerial Portfolio	Funding	2022-23 Progress Update
Vulnerable household energy support scheme	Minister for Climate Action	Release \$5.1m over four years of the provisioned \$50m total	Program continued in 2022-23. Additional funding in 2022-23 to launch the Home Energy Support Program that will support low-income households to access rebates and/or no-interest loans through the SHS to install solar, with other energy

			efficiency products to become available later in 2022.
Climate action strategic communication and behavioural change activities	Minister for Climate Action	\$856,000 over four years	Program continued in 2022-23. This funding comprises \$556,000 in recurrent staffing costs over four years and \$300,000 over two years from 2021-22 to deliver communications education and awareness-raising campaigns to support key Government climate action initiatives. The primary activity that this money is being used for is the Everyday Climate Choices website.
Energy Efficiency Improvement Scheme	Minister for Energy, Water and Emission Reduction	\$8.87m over four years	Program continued in 2022-23.
Solar for low income	Minister for Energy, Water and Emission Reduction	\$771,000 per annum as part of the Sustainable Household Scheme.	Program continued in 2022-23. Will now form part of the Home Energy Support Scheme for low-income households.
Community Club Building Energy Efficiency Fund	Minister for Energy, Water and Emission Reduction	\$2.5 million over four years	Program continued in 2022-23.
Adaptation and resilience	Minister for Climate Action ; Minister for Water, Energy and Emissions Reduction	\$2.50m over four years	Program continued in 2022-23.
Continued funding for the Community Zero Emissions Grant program	Minister for Water, Energy and Emissions Reduction	\$600,000 over four years	Program continued in 2022-23.
Prevent, eradicate and undertake early containment of invasive plants, animals and diseases under La Nina weather patterns	Minister for the Environment; Minister for Planning and Land Management; Minister for Transport and City Services	\$2.97 million over four years	Program continued in 2022-23.
Social cost of carbon	Minister for Energy, Water and Emission Reduction	\$4.7m over four years	Zero Emissions Government grant schemes to phase out fossil fuel gas in government buildings.
Reducing Callam Offices carbon emissions	Special Minister of State	\$15.252m over four years	Work continuing in 2022-23.

ZEV Registration Waiver	Minister for Energy, Water and Emission Reduction	\$8.56m over four years	Incentive will continue under the new <i>Zero Emissions Vehicles Strategy 2022-2030</i> .
ESA Vehicle Replacement Program – nine zero-emissions vehicles to the emergency services fleet	Minister for Police and Emergency Services	\$12.8 million over four years	Program continued in 2022-23. Access to these funds for the ACT's first electric firefighting vehicle sought in 2022-23 budget, with a recent ESA-Volvo partnership announced in July 2022 on ZEVs in the emergency services fleet.

2020-21 Budget – climate action initiatives

2020-21 Budget		Total funding: over \$300 million	
Initiative title	Ministerial Portfolio	Funding	2022-23 Progress Update
Sustainable Household Scheme	Minister for Climate Action	\$150 million	Program continued in 2022-23
Big Canberra Battery	Minister for Climate Action	\$100 million	Program continued in 2022-23
Vulnerable Household Energy Support Initiative	Minister for Climate Action	\$50 million	Program continued in 2022-23
Establishing the Office of the Coordinator-General for Climate Action	Minister for Climate Action	\$915,000 over two years	Funding to continue the office approved until 2024-25 in 2022-23 budget.
ZEV infrastructure, industry development and adopting a 2030 sales target	Minister for the Environment (Rattenbury)	\$2.7 million	2030 sales target announced as part of the <i>Zero Emissions Vehicle Strategy 2022-2030</i> .
Phasing out fossil fuel gas use	Minister for the Environment (Rattenbury)	\$855,000	\$4.8 million has been allocated in 2022-23 over forward years to continue the Gas Transition Taskforce and deliver the ACT Government's first gas transition plan.

Office for Climate Action Progress Report 2021-22

Purpose and Funding

The Office for Climate Action (OCA) was established to oversee the delivery of major projects, coordinate activities across the ACT Government and identify ways to increase our climate adaptation and resilience.

The OCA was allocated \$915,000 of expense funding for two years in the 2020-21 Budget. This funding has been extended with \$3.765 million over three years to continue the OCA's core functions and provisioned funding in 2025-26 subject to future consideration in the budget process.

Key Achievements in 2021-22

The OCA has co-led the delivery of key climate action initiatives with the Environment, Planning and Sustainable Development Directorate, including the:

- \$150 million Sustainable Household Scheme (SHS)
 - The SHS achieved commenced its pilot and launch in 2021 and has since introduced zero emissions vehicles and hydronic heat pumps into the Scheme.
 - The SHS has received significant uptake by ACT residents, with 6,422 total loan applications as of 30 June 2022.
 - Total loan value of 30 June is over \$70 million, with a trend of approximately \$1.5 million in loans settled per week.
- \$100 million Big Canberra Battery
 - The project has progressed into three streams to deliver a number of batteries across the Territory including large-scale transmission connected batteries, smaller 'neighbourhood-scale' batteries and behind-the-meter batteries at ACT Government sites such as schools and maintenance depots.
 - Expenses funding for 2020-21 and 2021-22 has been provided in the 2020-21 Budget, while capital funding for the project (\$95.8 million) and expenses funding from 2022-23 were provisioned.

- The Project is expected to deliver new revenue sources and/or cost savings to the Territory; support grid reliability while helping to integrate greater amounts of renewable electricity; and put downwards pressure on prices in the ACT and broader network.
- \$50 million Vulnerable Household Energy Efficiency Scheme (Home Energy Support Program)
 - The first stage of the Home Energy Support Program launched in March 2022 for concession card holder homeowners to access a rebate of up to \$2,500 to install rooftop solar. This can be accessed as rebate and interest free loan through the Sustainable Household Scheme or as a rebate only.
 - The program will expand in 2022 to include an additional rebate of up to \$2,500 for other energy efficient products, including heating and cooling systems, insulation, and hot water heat pumps.

The OCA completed the Whole of Government Climate Change Risk Assessment in 2021-22.

- Key findings include:
 - The ACT Government has good examples of frameworks in place and has established experience in managing physical impacts associated with climate change.
 - Government agencies are able to respond quickly to extreme weather events and initiatives, and programs have been developed at a range of scales to support preventative and adaptive responses.
 - There are opportunities to improve the ACTs capacity to adapt to climate change.

The OCA has established processes to ensure effective oversight on the delivery of climate commitments, including:

- Supporting the Climate Action Cabinet Subcommittee in its role as secretariat and coordinating directorates to bring items forward for consideration.

- Establishing the Strategic Board Climate Action Committee to discuss cross-cutting risks to the delivery of commitments and to ensure Subcommittee materials provide sufficient information to support decisions by Cabinet.
- Continuing cross-directorate governance arrangements to oversee implementation and coordinate reporting on programs relating to transport, fossil fuel gas transition and energy, household and community energy efficiency, and resilience and adaptation climate initiatives.
- Improving government's strategic communication and encouraging behaviour change by Canberrans on the transition to more climate-friendly households, businesses and transport options. The Everyday Climate Choices website has continued to provide information on government rebates, incentives and grants as well as strategies to reducing emissions and taking up climate-friendly measures across several areas of climate action.

2022-23 OCA Priorities

OCA Leading:

- Continued secretariat support for the Strategic Board Climate Action Committee.
- Continuing delivery of the Sustainable Household Scheme.
- Continuing development of the Big Canberra Battery program.
- Investigating public financial management system process improvements around climate-related expenditure to support government's allocation and tracking of measures that support emissions reduction in the ACT.
- Collaborating with federal, state and territory governments on climate action, including the Net Zero Emissions Policy Forum of which the ACT is a founding member. The OCA has received budget funding to provide membership contributions to this forum over forward years.
- Finalising a study into the electrification of key government sites in the Woden District to better understand how energy supply and constraints

can be better coordinated with the ACT's electricity distributor and across government.

- The project, delivered by AECOM, is anticipated to provide several recommendations on improving whole-of-government coordination and communication processes for medium and long-term energy needs as more buildings are phasing out gas and becoming all-electric.
- Developing the ACT Government response to the *Renewable Energy Innovation in the ACT* report.
- Contributing an ACT submission to the Australia's National Communication on Climate Change Report due to the United Nations in December 2022.
- Investigating options to provide all MLAs with climate impact analyses of relevant legislation (PAGA commitment).

OCA Assisting:

- Supporting the implementation of the *Zero Emissions Vehicle Strategy 2022-2030*.
- Delivery of the Home Energy Support Program and Minimum Energy Standards for Rental Properties.
- Delivery of the transition off fossil-fuel-gas use in the ACT.
 - Implementation of PAGA commitments including the banning of new greenfield and infill connections.
- Supporting battery electric bus procurement and electrical system upgrades for Woden.
- Progression of the Tier 1 Business Case for replacing government end-of-life assets.

Whole of Government Climate Action Progress Report 2021-22

Emissions reduction targets

- In 2020-21, the ACT's greenhouse gas emissions were 1,685 kilotonnes of carbon dioxide equivalent (kt CO₂-e). This is 3.9 tonnes of CO₂-e per person.
- ACT emissions were 45% lower than 1989-90 levels, and 2.9% higher than the previous year 2019-20.
- This increase is largely due to emissions from transport, which bounced back to almost pre-pandemic levels as COVID-19 restrictions eased.
- On 1 January 2020, the ACT achieved a supply of 100% renewable electricity. By using 100% renewable electricity, the ACT has prevented approximately 2,029 kt CO₂-e from being released into our atmosphere.
- 2020-21 emissions breakdown:

Emissions source	Emissions generated	Notes
Transport	63.5%	Mainly road transport
Natural Gas	21.6%	Excludes transport
Fugitive emissions	3.0%	This is methane leakage
Industrial processes	9.3%	Mainly HFC gases used in refrigeration and air-conditioning equipment
Waste	10.2%	Mainly legacy waste, i.e. breakdown of organic solid wastes at landfills
Agriculture	0.9%	Calculation method updated this year – now considers livestock numbers most recently reported by the ABS
Land use, land use change and forestry	-8.5%	This is sequestration

Continued efforts to reduce emissions from transport and natural gas will make the most impact in driving progress towards meeting future emissions targets.

Current government policies and parliamentary commitments contribute towards continued emissions reductions. Additional action is and will be pursued over coming years to further reduce emissions and meet government targets.

Scope 3 Emissions

Scope 3 emissions are the indirect emissions embodied in the activities or goods consumed in the ACT.

- Scope 3 emissions are not reported under the National Greenhouse Emissions Reduction Scheme. No Australian state or territory includes scope three emissions in their emissions reduction target.
- In September 2021, the Office of the Commissioner for Sustainability and the Environment released its Investigation Report into the ACT's Scope 3 emissions.

Key findings from the report:

- Scope 3 make up 94% of total emissions generated by the ACT, broken down by consumer group as:
 - 58.8% from households
 - Household emissions are primarily related to transport, international retail trade and food from other Australian states.
 - 33% from government
 - Also captures government services provided by the rest of Australia, e.g. payments from the Commonwealth Government to State Governments for maintenance of Commonwealth owned property.
 - 8.2% from business.

The Report made 12 recommendations and a Government Response was tabled in the Legislative Assembly on 2 June 2022.

- The Government has agreed to one recommendation to work in partnership with state and federal level governments to discuss initiatives to reduce scope 3 emissions across jurisdictions.
- The Government has also agreed in principle to commence in 2024 a review of the carbon emissions methodology and data availability. This is subject to further decisions of Cabinet and funding through future budget processes. A decision on whether to report on scope 3 emissions will be made following this review.
- The report also recommended implementing a 50% food waste reduction by 2030 target. This was noted in the Government Response as it aligns

with the National Waste Policy Action, which includes halving the amount of organic waste sent to landfill for disposal by 2030.

- A number of initiatives are underway across government to reduce food waste. This includes circular economy legislation and a pilot Food Organics Garden Organics (FOGO) collection service.

Gas Transition

In early August 2022, the ACT Government announced its electrification pathway to phase out gas in the ACT by 2045 at the latest.

- The Gas Transition Taskforce, led by EPSDD is leading this work. \$4.8 million has been allocated over forward years to continue the Gas Transition Taskforce and deliver the ACT Government's first gas transition plan. It will also lead development of a regulation to prevent new gas connections in certain developments and communications and education to support the community in making the transition.
- This is one of the biggest and most important decisions for this Government as it affects most people in the ACT. While electrification of households is the most cost-effective option, the government will investigate the potential of a renewable gas network for niche applications, such as particular types of industry where electric technology does not exist and will not be feasible in future.
 - Large commercial and industrial gas users are small in number but account for 20 per cent of fossil fuel gas use. Longer-term strategies will be developed as the search for economically and technologically efficient solutions progresses.
- Over the last 12 months, the Taskforce has:
 - Commissioned GHD and ACIL Allen to undertake modelling of the impact of different government policy settings on the electricity and gas networks. This study cost around \$850,000 and found that under existing government policy settings gas consumption is likely to reduce by 60% by 2045 and gas prices are expected to rise while electricity prices are likely to fall;

- Undertaken consumer research, including a YourSay Panel survey to understand consumer sentiment around gas. Around 1900 surveys were completed with key findings including:
 - 67% of households currently have gas in the household
 - 16% of households have transitioned to electricity
 - 59% of households have considered transitioning from gas
 - Cost and savings is the biggest factor driving and impeding switching gas to electric.
 - Gas is most commonly used for water heating (73%), cooking (66%) and heating (57%).

The survey findings indicate gas is a common energy source for households and that many households see the benefit in switching to electric but may be restrained in doing so. This includes for those who live in apartments or are renting.

Zero Emissions Vehicles and Transport

The OCA has supported the delivery of the *Zero Emissions Vehicle Strategy 2022-2030*.

- The new iteration of the ZEV Strategy will expand on policy options that continue to incentivise the uptake of ZEVs in the ACT by overcoming known barriers to uptake.
- Key commitments outlined in this Strategy include:
 - Continue financial incentives to reduce the upfront cost of purchasing a ZEV including two years free registration, a stamp duty waiver and no-interest loans up to \$15,000 through the Sustainable Household Scheme.
 - Phase out light internal combustion (ICE) vehicles from 2035 and prohibiting the onboarding of new ICE taxis and rideshares by 2030.
 - Aim to achieve 80-90% of new light vehicle sales in the ACT being ZEVs in 2030.

- Deliver 180 new electric vehicle public charging stations by 2025, with 70 of these to be delivered in 2022-23.
- Enact regulation to require electric vehicle charging infrastructure for new multi-unit residential and commercial buildings and introducing \$2,000 incentives for installation of EV charging in these buildings.
- The Territory will signal its intent to examine how an emissions and distance-based registration scheme could work in the Territory, but this reform does not form part of the ZEV Strategy.
- Longer-term initiatives around transport require extensive consultation and analysis to ensure that the policy options available are cost-effective, capable of being implemented in the current timeframes outlined in the Parliamentary and Governing Agreement (PAGA) and comprehensively informed by the needs of stakeholders and the community.

The ACT Government is progressing work on other transport related PAGA commitments, including:

- The procurement of 50 public chargers, which progressed in 2021 through the development of policy options and analysis, resulting in the release of the Public Electric Vehicle Charging Outlook in December 2021.
 - Procurement is underway for this item and will be delivered in 2022.
- Delivering 90 Battery Electric Buses to the ACT's public transport fleet.
 - Over \$50 million will be provisioned as part of the 2022-23 Budget to deliver on the procurement of these zero emissions buses in forward years, with additional funding provided for inside-the-fence infrastructure works to enable existing bus depots to support buses as they arrive in the ACT.

Adaptation and Resilience

The ACT Government has completed its whole-of-government Climate Change Risk Assessment that is underway as part of work to ensure Canberra can adapt to a changing climate.

The Climate Change Risk Assessment was commissioned to inform Cabinet decision making in relation to adaptation and resilience initiatives and government's ability to manage these impacts. AECOM were engaged to deliver the Risk Assessment.

Their final report includes:

- An assessment of the most significant climate risks facing the ACT,
- An analysis of the current level of maturity of the ACT in managing these risks, and
- A suite of current and future actions that could be implemented to manage these risks.

Households

The ACT Government is committed to a just transition to net zero emissions, that supports low-income households and the most vulnerable in our community to meet the challenges of a changing climate.

- Measures such as the Sustainable Household Scheme will support Canberrans to invest in energy-efficient upgrades, reducing their carbon footprint and saving costs through reduced energy bills.
- The Home Energy Support Program, launched in March 2022, will provide targeted support to improve the energy efficiency and thermal comfort of public housing, rental properties, and low-income owner-occupier residences.
- Canberrans experiencing financial hardship have access to subsidies for energy bills under the Utilities Concession and support from the Low-Income Household Program, which is designed to provide free assessments for households to find practical ways to improve the comfort of their home and save money on energy and water bills.

- The Energy Efficiency Improvement Scheme offers households and businesses the opportunity to save money on their energy bills by receiving special deals from electricity retailers when they improve the energy efficiency of their residences and workplaces.

Strategic Communications

The ACT Government climate action branding ‘Everyday Climate Choices’ was launched in late September 2021 and has seen strong engagement to date.

- The website forms part of a successful 2021-22 budget bid of \$856,000 over four years focusing on community awareness and behaviour change around emissions reduction through strategic communications.
- The Everyday Climate Choices website provides a central source for climate initiatives underway across Government and incentives available to residents, businesses, and community organisations. Information on the Everyday Climate Choices website spans across several topics, including:
 - ACT Government initiatives to achieve net zero emissions, including the Zero Emissions Vehicle Strategy and the ‘Powering Canberra: Our pathway to electrification’ webpage.
 - Loans and subsidies relating to energy efficiency and climate change, e.g. Sustainable Household Scheme and Community Zero Emissions Grants.
 - Options for low-emissions travel including ZEVs, and information on different modes of transport such as e-scooters and public transport.
 - Information on recycling and waste, including the new Food Organics Garden Organics (FOGO) waste trial underway.

APPENDIX: EMISSIONS TARGETS, CLIMATE ACTION STRATEGIES AND PROGRAMS

Government emissions reduction targets (Scope 1 and 2)

- The ACT Government has legislated targets to:
 - reduce greenhouse gas emissions (from 1990 levels) by:
 - 40% by 2020;
 - 50 to 60% by 2025;
 - 65 to 75% by 2030;
 - 90 to 95% by 2040; and
 - 100% (net zero emissions) by 2045;
 - achieve 100% renewable electricity in the ACT on and from 1 January 2020; and
 - reduce emissions from Government operations including:
 - greater than a 33% reduction in emissions from Government operations by 2025 (from 2020 levels); and
 - zero emissions from Government operations by 2040.

ACT Climate Change Strategy 2019-2025

- The Strategy outlines the next steps the community, business and Government will take to reduce emissions and establishes a pathway for achieving net zero emissions by 2045.
- The Strategy was developed in coordination with the ACT Planning Strategy 2018, the ACT Housing Strategy (2018) and the Transport Strategy 2020. Together, these strategies provide a comprehensive approach to building a smart, healthy net zero emissions city.
- Actions in the Climate Change Strategy are grouped into 'community leadership', 'just transition', 'transport', 'energy, buildings and urban development', 'Government leadership', 'waste avoidance and management', 'land use and biodiversity', 'monitoring evaluation and reporting' and 'increasing ambition'.
- The actions have been developed with the community and stakeholders and are focused on: (i) meeting the 2025 target, (ii) building resilience to climate change impacts, (iii) ensuring we don't 'lock in' future emissions

and (iv) laying the foundations for achieving net zero emissions.

- The Strategy includes a commitment to not purchase carbon offsets.

Canberra's Living Infrastructure Plan: Cooling the City

- The Plan sets out the Government's commitment to maintain and improve living infrastructure within urban Canberra to support urban heat mitigation.
- In Canberra's urban context living infrastructure includes street trees, ovals, wetlands, creeks, parks and nature reserves, private yards, green roofs, balconies and living walls.
- The Plan identifies fifteen actions, including measures to:
 - achieve 30% tree canopy cover (or equivalent) and 30% permeable surfaces in urban areas by 2045;
 - develop an Urban Forest Strategy (released in March 2021);
 - introduce landscape planning requirements for multi-dwelling, mixed-use and commercial developments; and
 - support community efforts to incorporate climate-wise landscaping principles and sustainability outcomes.
- The Plan includes four goals:
 - Climate-wise city - To reduce the risks from the key climate change impacts of heatwaves, droughts, storms and bushfires, through resilient living infrastructure.
 - Nature in the city - To conserve and enhance Canberra's biodiversity and landscape function, quality of life and sustainability, which are reliant on our urban forest, open spaces, wildlife and water systems.
 - Prosperous city - To recognise that our landscapes, with living infrastructure asset components, are an essential part of our economic prosperity that create revenue and jobs.
 - Healthy city - To promote community-wide health and wellbeing through access to nature which provides recreational, fitness and relaxation opportunities, and improves mental health.

Regional climate modelling

- NARCLiM (NSW and ACT Regional Climate Modelling) is a NSW Government led partnership that provides high resolution climate projections for southeast Australia.
- In June 2020, the ACT renewed its partnership with NSW and contributed \$100,000 towards NARCLiM version 2.0, which is due for release in 2022. This will provide more comprehensive and finer resolution climate projections for the ACT.
 - The ACT currently uses NARCLiM version 1.5 pending the release of version 2.0.
- The ACT Government continues to find ways to use the data to support and enable policy and decision-making. The projections have supported:
 - the whole of government climate risk assessment.
 - conservation of threatened species research, led by the Environment, Water and Heritage Division, EPSDD.

BIG CANBERRA BATTERY

Talking points:

- The Government has committed to a distributed network of large-scale battery storage systems through the Big Canberra Battery Project.
- The Project is planned to be delivered in three streams, which will see a variety of batteries installed across the transmission and distribution networks, and at ACT Government sites.
- It is anticipated that the Project will deliver on a range of financial, electricity network and emissions reductions objectives.

Key Information

Big Canberra Battery Project overview

- Action A1(v) of the Parliamentary and Governing Agreement specifies a commitment to deliver at least 250 MW of new 'large-scale' battery storage distributed across the ACT.
- The Big Canberra Battery project is expected to deliver a number of batteries across the Territory including large-scale transmission connected batteries, smaller 'neighbourhood-scale' batteries and behind-the-meter batteries at ACT Government sites such as schools and maintenance depots.
- The ACT Government has committed funding of \$100m to deliver the initiative. Expenses funding for 2020-21 and 2021-22 has been provided in the 2020-21 Budget, while capital funding for the project (\$95.8 million) and expenses funding from 2022-23 were provisioned.
- The Project is expected to deliver new revenue sources and/or cost savings to the Territory; support grid reliability while helping to integrate greater amounts of renewable electricity; and put downwards pressure on prices in the ACT and broader network.
- Phase 1 of the Project comprised a market sounding process to gauge industry interest and capability and to give industry the opportunity to provide input on the engagement process, role of government and design considerations.
- Independent analysis of the market sounding outcomes was undertaken by the Utilities Technical Regulator and commercial consultant (Baringa Partners), to consider the viability of recommendations with respect to the ACT Government's objectives and interests.
- Work undertaken in Phase 1 has established three primary Project streams for delivery:
 - Stream 1 – Large, grid-connected batteries: Large batteries primarily on the transmission network.

- Stream 2 – Batteries at Government sites: Batteries at Government sites such as schools and maintenance depots.
- Stream 3 – Neighbourhood-scale batteries: Medium sized grid-connected batteries on the distribution grid, with a focus on projects trialling community investment models or innovative technical parameters such as battery chemistry and capability.
- Table 1 provides further detail on the streams, including features, objectives, anticipated procurement approach, status and timelines.

Stream 1 considerations

Concept design

- Large-scale batteries can provide a number of services and access a number of value streams. Batteries delivered under Stream 1 will be required to deliver energy and ancillary services to the National Electricity Market (NEM).
- Battery developers will optimise the operation of the battery to maximise revenue while minimising the degradation of the battery. It is expected that most of the revenue will come from Frequency Control Ancillary Services (FCAS) and wholesale energy market arbitrage.

Commercial model

- Financial modelling and analysis have resulted in two 'contract for output' commercial models being shortlisted for the procurement process. The Stream 1 EOI will seek industry feedback on these models.
 - Virtual Storage – A 'Virtual Storage' contract fixes the price for the top and bottom intervals of the day in exchange for a fixed hourly fee. This would fix the daily spread for a battery and provide the battery developer with a fixed hourly cashflow.
 - Revenue share – A revenue share arrangement involves the Territory paying a fixed annual sum in exchange for a fixed percentage of total project revenue from the battery developer. Under a revenue share, the battery developer is responsible for all control and management of the battery.

Sites

- Nine sites (or parts of sites) for which the Territory is the custodian have been identified. The Territory may agree to grant a crown lease, sublease or licence at market rates to successful proponents for these sites which are in the vicinity of transmission or distribution substations. Proponents can nominate to use other sites within the ACT.
- Proponents are responsible for securing a suitable site and for obtaining all approvals to secure and develop batteries at the site.

Social and environmental sustainability outcomes

- The opportunity for noteworthy social and environmental outcomes is being explored.
- A social and environmental sustainability plan was required at the EOI stage which includes, as a minimum, a site remediation plan and a battery recycling plan.
- The responses received in the EOI have been used to develop a social and environmental sustainability requirement that balances ambition and achievability.

Background Information

The role of large-scale battery storage in a zero emissions future

- Existing fossil fuel generation is retiring and is being replaced by renewables that are cheaper but have intermittent generation.
- This is likely to happen sooner than the technical lifespan of fossil fuel generators, with little notice. New South Wales will be the state most impacted in the near term, which also impacts the ACT as it is included in the NSW National Energy Market (NEM) Jurisdiction.
- The lack of coordinated national action in managing the transition is expected to lead to higher electricity prices, lower reliability and worse emissions outcomes than if the transition is managed well. Support from batteries will assist in managing the transition.
- Large-scale battery storage is faster, cheaper and more flexible than gas peaker plants and they are the ideal technology to firm renewables into the grid without relying on fossil fuels.
- Securing financing for battery projects can be difficult, due to uncertainties around revenue and national policy. Stream 1 of the Project would see the Territory share market risk on behalf of project developers, in exchange for a potential return to the Territory.
- Battery storage in the ACT is expected to grow significantly under existing policies and projects including: the Big Canberra Battery project; the Next Generation Energy Storage Program; the Sustainable Household Scheme; Renewables Auction 5 batteries; private, community or network batteries and ACT Government owned batteries.

Status of battery storage in the ACT

- Existing batteries in the ACT and those under development are shown below.

Battery owner	Location	Size (MW)	Details
Individual households/businesses	Mostly residential sites in the ACT	14.75 total	This is the capacity installed under the ACT Government's Next Gen Program.
Neoen	Oaks Estate	100	Under construction. To be delivered as part of a contract signed with the ACT Government in 2020 for Renewables Auction 5.
GPG	Oaks Estate	10	To be delivered as part of a contract signed with ACT Government in 2020 for Renewables Auction 5. Construction complete and undergoing testing. AEMO has recently approved its registration application. Received a provision of service operating certificate.
Elvin Group	West Belconnen	2.5	Operating.
CWP Storage	Strathnairn	0.25	Under construction.
Neoen	West Belconnen	300	Referred for federal environmental impact assessment in March 2021.

Table 1: Big Canberra Battery Project – Primary Streams of Delivery

Stream Description	Features	Objectives	Procurement Approach	Procurement Timelines
<p><u>Stream 1 – Large, grid-connected batteries:</u> Primarily on the transmission network.</p>	<p>Battery size: >10 MW</p> <p><u>Ownership:</u> Developers retain ownership and control of the batteries.</p> <p>‘Contract for output’ established between Territory and developers</p>	<ul style="list-style-type: none"> Deliver 250 MW of storage. Support grid reliability and help to integrate greater amounts of renewable generation in the NEM. Deliver new revenue sources to the Territory. Put downward pressure on prices in the ACT and broader network. 	<p><u>Two stage process:</u></p> <ol style="list-style-type: none"> <u>Stage 1:</u> Expression of Interest (EOI). Aims to inform the RFP development (test contract duration, preferred commercial model, etc), and shortlist proponents for the RFP. <u>Stage 2:</u> Request for Proposals (RFP). <p>Strategic and Procurement Review undertaken by Government Procurement Board.</p>	<p>EOI was open 15 Dec 2021 to 11 Feb 2022</p> <p>RFP open Q1, 2022-23, contracting late 2023</p> <p>Construction start dependent on maturity of successful projects selected through RFP.</p>
<p><u>Stream 2 - Batteries at Government sites:</u> Like schools, maintenance depots etc.</p>	<p><u>Battery size:</u> 5 kW to 250 kW (Tailored, based on site’s electricity use and solar generation).</p> <p><u>Ownership:</u> Site owner.</p> <p><u>Other:</u> May include virtual power plant (VPP) services to access additional forms of revenue.</p>	<p>First tranche/trial:</p> <ul style="list-style-type: none"> Reduced cost of electricity for ACT Government sites. <p>Subsequent tranches may focus on alternate objectives such as reliability of supply, support for the distribution grid and avoided augmentation costs as sites transition to being all-electric.</p>	<p>Single stage RFP</p> <p>Depending on outcomes of the trial, a further two RFPs may be released, approximately annually.</p>	<p>RFP released Q1 2022-23; contracting Q4 2022-23.</p>
<p><u>Stream 3 – Neighbourhood-scale batteries:</u> Medium sized grid-connected batteries on the distribution grid, with a focus on projects trialling community investment models or innovative technical parameters such as battery chemistry and capability.</p>	<p><u>Battery size:</u> 500 kW to 5 MW</p> <p><u>Three potential focus areas include:</u></p> <ul style="list-style-type: none"> Distribution network support batteries; Community batteries; and Innovative trials of commercial models and technical solutions 	<p>Objective statement will be developed following further refinement of this stream but may include:</p> <ul style="list-style-type: none"> Increased grid reliability Industry development Downward pressure on electricity prices. 	<p>TBC</p>	<p>Stream 3 is being planned during 2022 and will be the subject of a future business case.</p>

Issue: Sustainable Household Scheme

Key dates during the phased introduction:

- 16 July 2021* Pilot begins to invited participants only.
- 30 Sep 2021* Scheme opened to all eligible participants for rooftop solar, batteries, hot water heat pumps, electric heating and cooling, electric cooktops and EV chargers.
- 6 Dec 2021* Zero Emissions Vehicles made available.
- 8 July 2022* Hydronic Heat Pumps made available.

Statistics as of June 30, 2022:

- Installations Settled – 4,254
- Loan applications in total – 6,422
- Loan applications total value – more than \$70 million
- Trend – Approximately \$1.5 million settled per week
- MW Solar installed – 25.4 MW
- 168 suppliers accredited under the Scheme
- The top 8 have local offices and have received applications worth more than \$38 million.

	Rooftop Solar only	Solar & Battery	Heating & Cooling	Battery Storage	HWHP	Stovetop	EV New	EV Used	Total
Loan applications	3,564	896	981	491	384	40	27	24	6,422
Installations/delivery	2,269	570	733	311	288	32	21	22	4,254

Plans underway for Q3, 2022:

- Finalise the procurement for a loans provider for the larger, second half of the Scheme.
- Deliver solar panel quality assurance project – PV Lab Australia is contracted to independently test solar panels to compare results against manufacture claims to help consumers to make informed purchasing decisions.
- Pilot the National Residential Efficiency Scorecard star rating program. A qualified Scorecard assessor is contracted to deliver 100 assessments to inform the status of household electrification following their participation in the Scheme. The results

from the assessments will help households identify their next steps to reduce their emissions while living more comfortably and sustainably.

Additional Home Energy Programs

In addition to the Sustainable Household Scheme, the ACT Government is implementing the following programs in conjunction to support households:

Home Energy Support Program:

- \$50 million to improve building efficiency and sustainability for social and public housing, low- income owner occupiers and low performing rental properties.
- The first stage launched in March 2022 for concession card holder homeowners to access a rebate of up to \$2,500 to install rooftop solar. This can be accessed as rebate and interest free-loan through the Sustainable Household Scheme or as a rebate only.
- Reverse cycle heating and cooling systems, hot water heat pumps and ceiling insulation will be added early in the 22/23 FY.

Next Generation Energy Storage Program:

- Rebates of up to \$3,500 for homeowners who install a solar battery through the Next Gen Energy Storage Program. The rebate can be accessed in conjunction with or without the Sustainable Household Scheme.

Issue: Climate Risk Assessments (future focus on 2022/23 budget)

Talking points:

- In 2021 a whole of government ACT Climate Change Risk Assessment was commissioned by Cabinet to help inform decision making in relation to the prioritisation of adaptation and resilience initiatives.
- The ACT Climate Change Risk Assessment found that the ACT Government has good examples of frameworks in place and has established experience in managing physical impacts associated with climate change. Government agencies are able to respond quickly to extreme weather events and initiatives, and programs have been developed at a range of scales to support preventative and adaptive responses.
- The risk assessment also found that there are opportunities to improve the ACTs capacity to adapt to climate change, recommending:
 - A strategic and coordinated approach to climate adaptation is adopted across ACT government sectors to support efficient resilience building
 - Further investigation of chronic and economic climate impacts to support the ACT to anticipate and mitigate economic risks to the ACT as a result of these escalating challenges
 - Focused mitigation of emerging extreme risks under a 2045 high emissions scenario
- The 2022-23 budget recognises that the ACT is facing increasing risks as a result of climate change and will deploy targeted funding to address the challenges highlighted by the ACT climate change risk assessment, including:
 - \$4.95 million over 4 years to continue funding the Office for Climate Action, which will lead whole of government climate adaptation work, support coordinated planning and capacity building across Directorates
 - Support for individuals and vulnerable households to reduce their energy bills through the continued delivery of zero-interest loans under the Sustainable Household Scheme and the \$50 million Vulnerable Household Energy Support scheme. These initiatives will support Canberrans to switch to more energy efficient heating and cooling, to install insulation and adopt zero emissions vehicles, reducing emissions whilst increasing resilience under a hotter climate.
 - Over \$14 million of continued capital funding for the Big Canberra Battery to contribute to reducing community energy costs while improving energy security - building resilience to extreme events.
 - \$2.27 million to support bushfire resilience through the creation of new asset protection zones around the suburban interface, and a further \$5.9 million to replace pipelines and provide firefighting water supply to Uriarra village.
 - \$2.9 million for further living infrastructure plan projects, to reduce urban heat
 - \$250,000 to set up a business information system to support the introduction of the urban forest bill.
 - \$11.8 million in capital to replace the aging stormwater network and mitigate flood risks.
 - \$1.58 million for the establishment of the Office of Water to deliver coordinated governance reforms, water policy initiatives and modelling that consider and manage the impact of climate change on our water resources.

- These important 2022-23 budget initiatives will buffer the ACT from extreme climate change risk, while building long-term resilience across the Territory.

Background Information

- Climate change is already affecting the ACT and Australia. Future changes are projected to have significant economic, environmental and health consequences for the ACT, as extreme events increase in frequency and severity.
- The Parliamentary and Governing Agreement of the 10th Legislative Assembly (PAGA) outlines the ACT Government's climate action agenda, and commits parties to undertaking rapid, science-based action to mitigate and adapt to climate change and transition the ACT to net zero emissions.
- In 2021, Cabinet commissioned the Risk Assessment to further inform government decisions on the prioritisation of adaptation and resilience initiatives with the findings to be applied as an evidence base to support future policy and planning decisions around climate risk management across the Territory.
- The Risk Assessment built on existing climate change strategies already in place, with a focus on risks posed by climate change to the ACT government and options to improve adaptation and resilience across ACT Government operations, including service delivery and major government owned assets.
- Risks were assessed using ACTIA's risk framework in collaboration with ACT Directorates, using solicitation as a primary evidence base, supported by NARClIM climate projections.
- This Risk Assessment also coincides with the update of the Territory Wide Risk Assessment (TWRA) which provides a whole-of government strategic assessment of hazards and emergency risks to the ACT. It will provide a key input into the updated TWRA, which will be published in 2022.

Findings of the Climate Change Risk Assessment

- There are three key findings from the Climate Change Risk Assessment
 - *Key finding 1: The ACT faces extreme climate risks under a 2045 high emissions scenario:*
There are many escalating climate change risks that the ACT has already taken steps to manage, particularly for impacts which have already been experienced. Despite these controls in place, the ACT government still face six extreme risks under a high emissions (RCP 8.5) 2045 scenario including:
 1. Extreme weather events and long-term climate change leading to adverse health impacts upon vulnerable community members and increased demand on health services;
 2. Poor air quality (e.g. bushfire smoke, dust storms, thunderstorms) leading to an increase in hospital admissions resulting in increased acute strain on the ACT health services;
 3. More extreme weather events leading to economic damages, lost productivity, increased business costs (mitigation, insurance, clean up), and

reduced viability of businesses resulting in compromised economic prosperity of the ACT **(E2)**

4. Extreme weather events and poor air quality leading to increased human safety concerns resulting in high and consistent demand for response and recovery services across directorates **(G1)**
5. Increasing temperatures and changing frequency and intensity of bushfires leading to longer, more intense fire seasons resulting in elevated environmental losses and ecosystem disruption **(N1)**
6. Changes in climate (temperature, rainfall, drought and snow cover) leading to negative changes in the composition and stability of alpine and subalpine environments resulting in a loss of these ecosystems **(N3)**

- *Key finding 2: Climate risk maturity is variable across Directorates and requires central support*

All Directorates have some understanding of climate risk, but maturity and the approach taken in managing these risks varies across impact domains and directorates. This disparity has the potential to limit the overall cost efficiency and effectiveness of climate risk mitigation actions, with gaps apparent in strategic planning.

- *Key finding 3: Further investigation of chronic and economic climate change impacts is required.*

The chronic impacts of climate change will result in increased financial strain as a result of compounding and more frequent natural disasters (i.e. deteriorating housing stock, stressed local businesses, escalating insurance costs, revenue uncertainty, reduced borrowing capacity, increased asset maintenance and failures) and require further investigation.

Issue: Better Regulation Taskforce and AMR

Talking points

1. What is the aim of the Better Regulation Taskforce and the ACT Government's Better Regulation Agenda?
 - In response to the COVID-19 pandemic and its impact on local business, the ACT Government set up the Better Regulation Taskforce (Taskforce).
 - The aim of the Taskforce is to **make it easier to start up, run and grow a business in the ACT.**
 - After analysing the findings from the Discovery Phase, the Taskforce developed a Better Regulation Agenda (Agenda) for the ACT which will be implemented progressively during 2022 and 2023.
 - Through its Agenda, the ACT Government is putting in place the best settings for business recovery, longer-term growth, and regulation in the ACT. **The ACT Government is making interactions with business better, faster, and simpler by improving the rules, regulations, government processes, information and supports for business.**
2. What is included in the ACT Government's Better Regulation Agenda?
 - The Agenda is broad and ambitious. It comprises two streams of government reform action. Both are equally important for achieving better regulation outcomes for business.
 - **Stream One is focused on policy and legislation.** This stream is about improvements we can make to our current policy settings and legislative frameworks to improve outcomes for business. By listening to the needs of business, we will make continual improvements to the rules, regulations and government processes.
 - The second stream of the Agenda is **about business experience and regulator practice.** Through these reforms, we will make government and business interactions better, faster and simpler.
 - These streams will be progressed in parallel so that improvements for business are delivered as quickly as possible.
 - The Agenda sets the pathway for making Canberra a place where it is easy to start up, run and grow a business. It will:
 - Support regulators to create certainty for business
 - Ensure consistency of information
 - Facilitate clear and open communication between business and government on regulatory issues.

- The Agenda covers the way in which government procures business, how we manage cross-border regulation, the impact of regulation on our night-time and entertainment economy, and how business can better connect with someone in government to solve problems. We're working to better understand the day-to-day needs of business, to find innovative solutions and reduce duplication.
- In time, we expect to create a regulator quality framework to underpin better regulation in the ACT.

3. What is included in the Better Regulation Report?

- The 'Better Regulation: *A report on how we are improving business regulation in the ACT* (the [Report](#)) provides an update on the activities of the Taskforce since it began in 2021. It includes the Discovery Phase and the beginning of the Analysis Phase. These phases have produced the forward work program described in the Better Regulation Agenda.

4. What have been the activities of the Taskforce since its inception?

- The activities of the Taskforce have included:
 - Extensive engagement with business and other stakeholders;
 - During 2021, the Taskforce collaborated directly with business. It sought ideas and solutions that business thought would best support its success. These ideas built on the already embedded 'How can we help?' approach of the ACT Government agencies and regulators, with the view to improve the experience for everyone.
 - Analysis of jurisdictional approaches to better regulation;
 - The Taskforce considered regulatory reform approaches elsewhere in Australia and overseas.
 - Oversight of the wide-ranging legislative review;
 - The Taskforce commissioned a wide-ranging review of legislation to identify potential projects for reform. The potential projects developed through the review have been considered alongside the other inputs into the Discovery Phase to inform the Better Regulation Agenda.
 - The potential projects for reform include:
 - Review full legislative and regulatory arrangements for 'entertainment economy';

- Standardise procurement processes across ACT Government;
 - Digital technology – transition from paper-based documents;
 - Review of ACT-NSW regulation cross border alignment;
 - Review of regulator/regulation overlap and duplication; and
 - Review options for legislation to support regulator best practice.
- Progression of the previous Commonwealth Government’s deregulation agenda; and
 - Implementation of early reform opportunities in the procurement space.

5. What has the Taskforce done to assist business?

- The Taskforce has helped resolve a number of business-specific queries and issues.
- The Taskforce has recently concluded some valuable early reform work in collaboration with Procurement ACT aimed at assisting businesses to understand the ins and outs of ACT Government procurement and how to go about bidding for these opportunities.
 - We have produced a Step-by-Step-Guide (e-booklet) for small and medium sized businesses to guide them from start to finish through the process of supplying to ACT.
 - We have also updated our Procurement ACT website with a revitalised supplier landing page which provides practical and easy to navigate information for businesses on government procurement.
 - An enhanced Act Government Supplier Portal is a deliverable under the Procurement Reform Program and under the Better Regulation Agenda to review ACT Procurement processes from an SME lens.
- The Taskforce has completed a significant body of work to ready the ACT for Automatic Mutual Recognition (AMR) of occupational licensing which commenced on 1 July 2022. AMR of occupational licensing is a

Commonwealth scheme to make it simpler, quicker and less expensive for people to work across jurisdictions. Under AMR, a person who is licenced or registered for an occupation in one jurisdiction is considered to be registered to perform the same activities in another jurisdiction, without the need to go through further application processes or pay additional registration fees.

- 43 occupations have now been brought into AMR in the Territory, all with a Notice of Intent to Work Declaration in place.
 - Reciprocal recognition of licences will support occupational mobility for interstate workers.
 - As a cross border community, automatic recognition of occupational licences of workers registered in NSW will reduce barriers for ACT businesses, so they can quickly and easily onboard interstate workers. AMR will increase flexibility for business and individuals, delivering savings on registration fees, paperwork and time.
- Seven Significant Risk Exemption Declarations were made by the Chief Minister in June 2022 because of a significant risk to consumer protection, and the health and safety of workers or the public. These were:
 - Firearms Dealers
 - Casino Employees
 - Teachers
 - Construction Occupations
 - Dangerous Substances
 - Labour Hire Provider
 - Conveyancers

6. What did the Taskforce 'discover' during the Discovery Phase?

- Issues discovered and analysed during the Discovery Phase included:
 - Existing policy and legislative frameworks (Stream 1):
 - small and medium enterprise procurement
 - night-time and entertainment economy
 - occupational mobility
 - cross-border alignment

- supporting digital technology
- business licences and renewals
- emerging business models and disruptive technology.
- The business experience when interacting with government, including regulator capability and support (Stream 2):
 - simplification of government and business interactions
 - small business information and communications
 - regulator practice (understanding business)
 - reduce regulatory overlap.
- The work undertaken by the Taskforce on the Legislative Review and Jurisdictional Analysis has provided depth to better understanding these issues raised by stakeholders, as well as available solutions. This has led to an enriched Report and whole of government Better Regulation Agenda.

7. What does business want?

- We heard that when it comes to dealing with government, business wants:
 - government to better understand the needs and experiences of business
 - information to be clearer and targeted to business
 - to only tell government once
 - to know where they can go to get help and for there to be someone they can talk to who understands business
 - government to 'think small first'
 - government to say 'yes' whenever it practicably can
 - government to be more transparent, coordinated and consistent
 - streamlined, faster processes and approvals.

8. Why was there a delay in the Taskforce's Discovery Phase and the publication of the Report?

- On commencing the Discovery Phase, the Taskforce resolved to undertake a deeper level of engagement than was initially considered necessary. This extended the discovery period.

- Additionally, during the lockdown which commenced in August 2021, the Taskforce reduced its engagements with business on better regulation issues. This followed a number of discussions with business and peaks during the lockdown to see if there was an appetite to re-engage with the Taskforce on better regulation.
 - Understandably, the strong feedback was that businesses needed to direct their energies to maintaining the viability of their businesses. Accordingly, interactions with businesses during this time centred on available support measures.
 - **The Taskforce supported development and delivery of economic measures for businesses hardest hit by COVID-19 during the current ACT lockdown.**

9. Why did the Taskforce need to talk to business again to find out issues that have previously been raised by business to government?

- The Taskforce wanted to identify issues that place regulatory burdens on business and identify the most effective ways to address these. Informed by human-centred design (HCD) principles, the Taskforce sought to engage with a wide variety of business types to better understand the issues they face, and the possible solutions required.
- Using the HCD approach to consultation, the Taskforce aimed to:
 - capture what is working well
 - locate the key pain points for different stakeholder groups
 - gain an understanding of where regulatory reforms could deliver the most value.
- The Taskforce has undertaken a multifaceted program of review and engagement. This has included focus groups, workshops, roundtables and one-on-ones with stakeholders.
- The Taskforce has engaged with small businesses, precinct groups, peak bodies, industry forums and of course government regulators to hear about issues that businesses are experiencing.
- The Minister for Business and Better Regulation has been meeting with all parts of Canberra's business community to understand what we do well, what we need to improve, and how we can better work with business to support them.
- The Taskforce has also:

5.1

- scanned feedback and input already received from the community to identify issues previously raised and proposed improvements for business.
- examined and applied lessons learned during the COVID-19 response, such as maintaining clear and open communication, prioritising adaptability and rapid action, and engaging with risk to achieve the best outcomes for businesses in the ACT.
- During the Discovery Phase, the Taskforce held the following workshops:
 - Internal ACT Government workshop
 - Night-time economy and entertainment workshop
 - Innovation workshop
 - Procurement workshop
- During the Discovery Phase, the Taskforce presented at the following roundtables:
 - Canberra Region Tourism Leaders Forum
 - Canberra Business Chamber Kindred Members
 - Community Clubs Ministerial Advisory Council
- In addition to these planned engagements, the Taskforce addressed direct queries from business, helping to find solutions to immediate concerns.
 - By October 2021, the Better Regulation Taskforce had undertaken and supported approximately 132 engagements with individuals representing 114 businesses as part of its Discovery Phase. These numbers are approximate, as some businesses may have attended multiple group sessions.
 - Since the conclusion of the planned engagements for the Discovery Phase, the Taskforce has continued to meet with ACT businesses where individuals and business have sought assistance or information from the Taskforce or have insights to convey.
 - As the Taskforce moves into its next phase, further engagements with business will be planned in relation to specific components of the forward Agenda.

Key Information

Funding for the Taskforce

- The Taskforce has been funded for three years.
- At the 2020-21 Budget four FTE were reprioritised from within CMTEDD to form the Better Regulation Taskforce (SES 1.4, SOGA, SOB and SOGC calculated using the Average Salary Costing Model).
- No contractors, advisers or other external service providers comprise the Better Regulation Taskforce.
- Through the 2020-21 Budget the Better Regulation Taskforce received funding for procurement of specialist capabilities to the value of \$329,100 over three financial years:
 - \$124,000 in 2020-2021,
 - \$142,900 in 2021-2022, and
 - and \$62,200 in 2022-2023.
- To date, the Taskforce as part of the Discovery Phase has procured specialist capabilities to support delivery of:
 - Engagement planning and facilitated workshops;
 - Small Business Community Communications Research; and
 - Phase one of the legislative review.
- Through the 2021-2022 Budget, the Better Regulation Taskforce received funding for 1 SOG B for nine months to continue its whole of government co-ordination of Automatic Mutual Recognition of occupational licences.

What money has the Taskforce spent on specialist capabilities?

- To date, the Taskforce has procured consultants to undertake engagement planning and facilitate workshops to the value of \$61,105 (GST inclusive).
- The Taskforce also procured consultants to undertake Phase One of the Legislative Review.
 - \$36,960 (GST inclusive) was spent on the legislative review project in 2020-21. The total contract value is \$92,400 (spanning 2020-21 and 2021-22).

Issue: DRONES

Talking Points

- Drones are a part of a growing area of new aviation technologies, the uses of which we are seeing emerge across Australia and in the ACT.
- We welcome these new and innovative technologies for the benefits they can bring our community.
- For example, use of drone delivery services in Canberra surged last year as Canberrans sought Covid-safe ways to access everyday items. Last year, 40,000 drone deliveries were made in Canberra, with more than 15,000 deliveries made in the lockdown period.
- We remain optimistic about the potential benefits of drones and drone delivery services, these include:
 - empowering local businesses to reach more customers; and
 - potentially cutting greenhouse gas emissions by reducing the need to travel by car.
- While the ACT can be said to be a leader in this area, being one of the first cities in the world to welcome urban drone delivery services, we are also aware of the need to manage the impacts of these technologies carefully, including in the areas of noise, safety, and the environment.

Noise

Regulation

- Considering the Commonwealth's comprehensive powers, and the need for consistency across Australian jurisdictions, a national approach to noise management is the optimal way forward.
- To this end, in mid-October 2021, the ACT Government made a submission to the Commonwealth's Regulatory Impact Statement (or RIS) for proposed reforms to the relevant Commonwealth noise regulations.
- The Commonwealth's preferred interim solution to drone noise regulation, outlined in the RIS, involves a process where operators must self-assess their noise impact against several criteria including location, frequency, and drone noise output, amongst others.

Wing

- Wing receives approval to engage in air navigation from the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts under the *Air Navigation (aircraft noise) Regulations 2018*.

- In relation to Wing's delivery service and noise, we have been advised that Wing rolled out a new drone aircraft in May 2021 which is significantly quieter than previous models. Wing says that it almost halves the sound level experienced during overflight.

Safety

- The safety of drones is regulated by the Civil Aviation Safety Authority (CASA). We are confident that Commonwealth regulation ensures a high level of safety for drone operations.

Environment

- The environmental impact of drones is an area of ongoing study and we will continue to monitor for new information and to work with Wing on this matter
- We understand that prior to commencement of operations in Kaleen and Giralang earlier this year, Wing conducted ornithological surveys of the area and these surveys are ongoing.

Wing's operations

- Wing is currently permitted by the Commonwealth to operate in the suburbs of Kaleen, Giralang, Crace, Franklin, Harrison, Palmerston, Mitchell and part of the suburb of Gungahlin.
- Wing commenced operations in Kaleen and Giralang earlier this year. We are aware Wing undertook a substantial program of community engagement upon its commencement of operations in Kaleen and Giralang. This included hosting community stalls, sharing information directly with residents, attending community meetings and actively responding to any questions and concerns. Wing have committed to continuing this approach in any future expansion.
- To commence operations in any other suburb in the ACT, Wing must notify the the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts at least 5 days before beginning such operations.
- It is a condition of the Commonwealth's approval of Wing's operations, that Wing must collate all community feedback during the operational period (whether given to Wing directly or to the ACT Government), and the steps taken to respond. This must be provided to the Commonwealth Department of Infrastructure Transport, Regional Development, Communications and the Arts on a quarterly basis.

Complaints about Wing

- We have been advised by Wing that in the first two quarters of 2022, it received 9 pieces of critical feedback in total from residents in the delivery areas, via email or website, or from correspondence shared from Access Canberra, from the Gungahlin Community Council, or communicated through an MLA's office.
- We are not aware of the content of each individual complaint, however my understanding is that the relevant regulator (be it the Civil Aviation and Safety Authority or the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts), will work with the complainant and Wing to develop a resolution wherever appropriate and practicable.
- The Access Canberra website provides information on the use of drones in the ACT including how to give feedback and make a complaint in relation to safety, noise and other matters.

Background

- The Better Regulation Taskforce (BRT) is a member of the National Drones Working Group, chaired by the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts. Through this Group the BRT proactively engages with the development of drone regulation nationally.
- The Commonwealth Government is responsible for the regulation of drones nationally. Specifically:
 - The Department of Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts is responsible for drone air navigation and noise regulation under the *Air Navigation (aircraft noise) Regulations 2018*.
 - The Civil Aviation Safety Authority (CASA) is responsible for the regulation of the safe operation of drones and provides standard operating conditions for drone users, and assess the safety cases of individuals or companies.
 - The Airservices Australia manage the operation of Australian airspace.

Issue: Automatic Mutual Recognition of Occupational Registrations

Talking Points – AMR Scheme

- The AMR Scheme became fully operational on 1 July 2022.
- 43 individual occupational registrations are in the AMR Scheme in the Territory.
- These are occupational registrations in the following licensing legislation:
 1. *Agents Act 2003*
 2. *Architects Act 2004*
 3. *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995*
 4. *Controlled Sports Act 2019*
 5. *Domestic Animals Act 2000*
 6. *Environment Protection Act 1997*
 7. *Gaming Machine Act 2004*
 8. *Race and Sports Bookmaking Act 2001*
 9. *Radiation Protection Act 2006*
 10. *Road Transport (Driver Licensing) Regulation 2000*
 11. *Road Transport (Public Passenger Services) Act 2001*
 12. *Road Transport (Vehicle Registration) Regulation 2000*
 13. *Security Industry Act 2003*
 14. *Surveyors Act 2007*
 15. *Trader (Licensing) Act 2016*
 16. *Water Resources Act 2007*
- All require a Notification of Intent to Work to be made prior to the interstate individual relying on their home State registration for the first time to work in the Territory.
- These notification declarations were made by the portfolio Minister via a Commonwealth Instrument which were lodged on the Federal Register of Legislation.

- Seven Significant Risk Exemption Declarations were made by the Chief Minister.
- These were:
 - 5-year Teachers Declaration (*ACT Teachers Quality Institute Act 2010*) because of a significant risk to the health and safety of workers or the public, in particular, child safety.
 - The Royal Commission into Institutional Responses to Child Sexual Abuse identified risks to children that arise when information about sexual abuse by teachers is not shared across jurisdictions. A lack of information sharing between employers or registration authorities can enable perpetrators to continue to pose a risk to children by moving between schools or jurisdictions.
 - A number of recommendations were made in relation to improving information sharing across sectors, including a nationally consistent information exchange scheme.
 - The ACT is participating in a National Information Sharing Project to address the recommendations from the Royal Commission. The Project is recognised as a key enabler to support the effective implementation of automatic mutual recognition for teaching registrations, without further exacerbating the risks to child safety through the current, inadequate information sharing arrangements, highlighted by the Royal Commission. However, the Project is likely to be delivered over a number of years and was not complete by 1 July 2022, when the automatic mutual recognition scheme was fully implemented in the Territory.
 - All jurisdictions declared a SRE for teaching occupations. The duration varies from 3 years to 5 years.
 - 3-year Dangerous Substances Declaration (*Dangerous Substances (Explosives) Regulation 2004* and *Dangerous Substances (General) Regulation 2004*) because of a significant risk to the health and safety of workers or the public.

- 3-year Labour Hire Provider Declaration (*Labour Hire Licensing Act 2020*) because of a significant risk to the health and safety of workers or the public.
- 3-year Firearms Dealer Declaration (*Firearms Act 1996*) because of a significant risk to the health and safety of workers or the public.
- 1-year Casino Employees Declaration (*Casino Control Act 2006*) because of a significant risk to the health and safety of workers or the public.
- 3-year Construction Occupations Declaration (*Construction Occupations (Licensing) Act 2004*) because of a significant risk to the health and safety of workers or the public, and consumer protection.
 - There is a graduated disciplinary framework for all construction occupations in the Territory, provided for under the *Construction Occupations (Licensing) Act 2004*. The disciplinary framework includes a demerit point sanction. This demerit point sanction is used uniquely in the Territory as an educational opportunity, as well as a non-compliance penalty.
 - The *Mutual Recognition Act 1992* (Cth) provides for a number of circumstances in which a person's automatic deemed registration is taken to have ended, including where the individual:
 - a. is the subject of criminal, civil or disciplinary proceedings in any State, including any preliminary investigations or action that might lead to criminal, civil or disciplinary proceedings, in relation to an occupation that covers the activity; and
 - b. the individual has been informed or is otherwise aware of those proceedings.
 - The *Mutual Recognition Act 1992* (Cth) further provides that when an individual's automatic deemed registration ends as a result of, or in anticipation of, criminal, civil or disciplinary proceedings, then any home State substantive registration is affected the same way.
 - As the issuing of a demerit under the *Construction Occupations (Licensing) Act 2004* constitutes disciplinary proceedings, there is a significant risk of individuals relying

5.3

on automatic deemed registration losing the right to rely on that registration, as well as the significant risk of their home State substantive registration being affected in the same way for a minor non-compliance issue.

- This would have significant impacts on consumer protection for individuals and businesses in the Territory who are commencing, or have commenced, construction work, as well as having the potential for creating a disproportionate, two-tier regulatory framework for compliance, based on whether a licensee is registered in the Territory for construction occupations or is registered in another jurisdiction.
- The ACT is a jurisdiction with a high proportion of interstate workers and the demerit system is used to a substantial degree by the regulator to educate interstate workers on their legislative obligations. This is critical in a sector that has a known issue with workplace safety incidents. A three-year exemption will allow for alternative arrangements to address these risks to be developed and implemented.
- On the 1 July 2022, Mr Michael Hopkins, CEO of the Master Builders Association of the ACT, emailed Ministers Cheyne, Steel and Gentleman to express disappointment that the ACT Government will not be allowing construction occupations to benefit from the AMR Scheme.
- A response has been prepared by the BRT, outlining the significant risks. It should be noted that mutual recognition is still available to interstate construction workers.
- Other jurisdictions have declared a SRE for some building occupations:
 - Victoria – building surveyors and plumbing occupations.
 - WA – electricians.
 - Tasmania – builders (open/medium rise/low rise/domestic).
 - NSW – all building occupations for a minimum of 6 months.

- In addition, in order to protect consumers buying or selling property in the Territory, a SRE was declared to exempt any registrations under the following conveyancing laws for a period of five years because of a significant risk to consumer protection:
 - a) the *Conveyancers Licensing Act 2003* of New South Wales;
 - b) the *Agents Licensing Act 1979* of the Northern Territory;
 - c) the *Conveyancers Act 1994* of South Australia;
 - d) the *Conveyancing Act 2004* of Tasmania;
 - e) the *Conveyancers Act 2006* of Victoria; and
 - f) the *Settlement Agents Act 1981* of Western Australia.

This is because In other States and Territories, conveyancing activities can be undertaken by registered individuals who are not legal practitioners, for example, conveyancing agents and settlement agents. The ACT does not have a licensing scheme for conveyancing agents or settlement agents, nor is there a regulatory framework for conveyancing activities. In the ACT, conveyancing activities are undertaken by legal practitioners, regulated by the *Legal Profession Act 2006* which includes provisions for occupational registration and a disciplinary framework.

Talking Points – Budget and Finance

- The *2021-22 Chief Minister, Treasury and Economic Development Budget Statement* included the following Budget Policy Adjustment:

2021-22 Budget Policy Adjustments	2021-21 Interim Outcome \$'000	2021-22 Budget \$'000	2022-23 Estimate \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000
Implementing the Automatic Mutual	0	917	329	0	0

Recognition scheme					
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Table 56: Changes to appropriation – Controlled Recurrent Payments, p 62

- This funding was for:
 - resourcing for Access Canberra to operationalise AMR for most occupational licences by 1 July 2022 and for the first year of introduction of AMR; and
 - resourcing for Policy and Cabinet to continue its whole of government coordination of AMR (1 x SOG B for nine months).
- The temporary SOGB position was filled in the Better Regulation Taskforce in September 2021 to assist with the Scheme implementation.
- Ongoing support for AMR by the Better Regulation Taskforce will be met by existing resources.
- Data, Digital and Technology Services is responsible for delivering a critical program of work to deliver an end-to-end technical solution to support processes between licensed interstate workers, state and territory licensing and regulatory authorities and the public. This funding is complementary to funding received by DDTS for this purpose.
 - The DDTS AMR project received \$3.8m in FY21/22.

Talking Points – Intergovernmental Agreement

- The ACT is not party to the Intergovernmental Agreement on the AMR of Occupational Registration (IGA) signed by the Commonwealth and all other States and Territories on 11 December 2020.
- This has no impact on the operation or application of AMR in the ACT.

Issue: Commercial Leases

Talking points

What is the Commercial Leases Declaration?

- The commercial leases declaration is an instrument made by the Attorney-General under section 177 of the *Leases (Commercial and Retail) Act 2001* (the Leases Act).
- The Leases Act was amended to allow the Attorney-General to respond quickly and flexibly to the impacts of COVID-19 on commercial tenancies by making a Declaration.
 - The head of power expires at the end of a 3-month period during which no COVID-19 emergency has been in force.

What is the purpose of a Declaration?

- The Declarations that have been made under section 177 of the Leases Act are aimed at preserving the landlord/tenant relationship where a tenant is unable to meet rent payments due to the impacts of COVID-19.
- The Declarations require landlords to negotiate in good faith before seeking to evict a tenant or exercise a right of enforcement under a commercial lease, to which the Leases Act applies.
- Negotiations must have regard to the leasing principles in the National Code of Conduct (the National Code) as agreed by National Cabinet.
- The Attorney-General has made three Declarations under this head of power.
- None of the Declarations are currently in force.
 - The first two declarations ran from 11 May 2020 through to 31 January 2021.
 - The third declaration commenced on 28 September 2021 and ended on 1 January 2022.
- The third Declaration ended as most of the measures that were put in place for the August 2021 lockdown which restricted business activity and trading capacity had eased.
- While no Declaration is currently in force, each Declaration continues to have effect where a prescribed breach occurred during a prescribed period under each of the Declarations. Where a prescribed breach

occurred during the relevant prescribed periods, landlords must still negotiate in good faith before taking action against an impacted tenant.

This measure placed obligations on the landlord. What support was given to them?

- While the Declarations were in force, the ACT Government provided a commercial rates credit for eligible landlords who offered a rent reduction to tenants.
- Alternatively, a landlord may also have been eligible for assistance under the Business Hardship scheme.

COVID-19 Business Commissioner

- Mr Brendan Smyth first took on the role of the COVID-19 Local Business Commissioner in April 2020. He engaged with commercial landlords and tenants in the ACT on the application of the first and second Declarations to encourage in good faith negotiations and to refer parties for mediation.
- On 6 September 2021, Mr Smyth again took on the role as the COVID-19 Local Business Commissioner until 31 July 2022, to continue working with commercial landlords and tenants under the third Declaration to resolve issues and refer parties for formal mediation, where needed.

Mediation Services

- In the 2021-22 Budget, funding of \$250,000 was provided for free mediation support services for commercial tenants and landlords to support in good-faith negotiations.

2021-22 Budget Statements: Chief Minister, Treasury and Economic Development Directorate

2021–22 Budget Policy Adjustments	2020-21 Interim Outcome \$'000	2021-22 Budget \$'000	2022-23 Estimate \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000
Mediation support services for commercial lease negotiations	0	250	0	0	0

Changes to Appropriation Table 56: Changes to appropriation – Controlled Recurrent Payments, p 61

- The provider for this service was Conflict Resolution Services, a Canberra-based service.

- Commercial tenants and landlords were able to access mediation by contacting the COVID-19 Local Business Commissioner who referred parties to Conflict Resolution Service where formal mediation would assist.
- While a small number of matters have been referred to CRS, the vast majority have been resolved without the need for formal mediation.

Commercial Tenancies Advisory Committee

- The ACT Government established a Commercial Tenancies Administration Committee to provide guidance on the implementation and operation of the Declarations.
- The Committee was comprised of industry stakeholders.
- The Committee supported the ending of the third Declaration as planned on 1 January 2022.

Issue: Better Regulation
(future focus on 2022/23 budget)

Talking points:

Funding for the Taskforce

- The Taskforce has been funded for three years.

2020-21 Budget:

- four FTE were reprioritised from within CMTEDD to form the Better Regulation Taskforce (SES 1.4, SOGA, SOB and SOGC calculated using the Average Salary Costing Model).
- The Better Regulation Taskforce received funding for procurement of specialist capabilities to the value of \$329,100 over three financial years:

2020-21 Budget Policy Adjustments	2020-21 Budget \$'000	2021-22 Estimate \$'000	2022-23 Estimate \$'000	2023-24 Estimate \$'000
Better Regulation Taskforce	\$124,000	\$142,900	\$62,200	0

2020-21 [Budget Statements - Chief Minister, Treasury and Economic Development Directorate, page 53](#)

2021-22 Budget:

- Through the 2021-2022 Budget, the Better Regulation Taskforce received funding for 1 SOG B for nine months to continue its whole of government co-ordination of Automatic Mutual Recognition of occupational licences.
- Through the 2021-2022 Budget, \$50 000 was reprofiled from 2020-21 to meet remaining payments for the legislative review project (see more information below).

2021-22 Budget Technical Adjustments	2020-21 Interim Outcome \$'000	2021-22 Budget \$'000	2022-23 Estimate \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000
Better Regulation Taskforce	-\$50	\$50	0	0	0

2021-22 [Budget Statements - Chief Minister, Treasury and Economic Development Directorate, page 63](#)

2022-23 Budget:

- No new funding has been provided to the Better Regulation Taskforce for 2022 - 2023.
- Through the 2022-2023 Budget, \$188 000 has been reprofiled from 2021-22 for procurement of specialist capabilities.

2022-23 Budget Technical Adjustments	2021-22 Estimated Outcome \$'000	2022-23 Budget \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000	2025-26 Estimate \$'000
Revised Funding Profile: Better Regulation Taskforce	-\$188	\$188	0	0	0

2022-23 [Budget Statements – Chief Minister, Treasury and Economic Development Directorate, page 56](#)

- This is not additional funding – it is a reprofiling of funds from the original budget funding of the Taskforce through the 20-21 Budget.
- Planned procurements for 2022-2023 to be covered by this funding will support the delivery of items of the Better Regulation Agenda, including:
 - Review of the Local Industry Participation Policy
 - see Stream 1 of the Better Regulation Agenda which includes a measure to check that procurement policies for local industry participation are achieving their objectives.
 - End to end user mapping of the business user experience
 - See Stream 2 of the Better Regulation agenda which includes a measure to map the business user experience so that government better understand business, their needs and the impact of regulation.

BRT Procurement spend to date

- Since its inception, the Taskforce as part of the Discovery Phase has procured specialist capabilities to support delivery of:
 - Engagement planning and facilitated workshops to the value of \$61,105 (GST inclusive);
 - Small Business Community Communications Research
 - This was a procurement led by Economic Development and the Taskforce contributed \$14,896; and
 - The Legislative Review to the value of \$92,400 (GST inclusive).
 - \$5000 associated with finalisation of the Better Regulation Report.

Commercial Tenancies Mediation Funding

2021-22 Budget:

- Through the 2021-2022 Budget, funding was provided for the provision of formal mediation services to assist commercial tenants and landlords to negotiate in good faith under the commercial tenancies declaration.

2021–22 Budget Policy Adjustments	2020-21 Interim Outcome \$'000	2021-22 Budget \$'000	2022-23 Estimate \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000
COVID-19 Business support: Mediation support services for commercial lease negotiations	\$0	\$250	0	0	0

[2021-22 Budget Statements – Chief Minister, Treasury and Economic Development Directorate, page 61](#)

2022-23 Budget:

- However, the need for formal mediation was far less than predicted. While the COVID-19 Local Business Commissioner handled upwards of 210 inquiries from business, including tenants and landlords, only a handful required referral to the accredited mediator.
 - The costs for provision of the mediation services for those parties to a commercial lease that required will be met from existing PCD resources.
- As a result, the allocated funding for mediation have been reprofiled and will be applied to procurements which continue to support business and their recovery from COVID-19. Through the Taskforce’s Discovery phase, we have heard that business will be better supported if Government does more to understand business. Procuring specialist capabilities to help us understand how we could measure the cumulative regulatory burden on business will better position Government to respond with improvements to ACT’s regulatory framework for business.

2022–23 Budget Technical Adjustments	2021-22 Estimated Outcome \$'000	2022-23 Budget \$'000	2023-24 Estimate \$'000	2024-25 Estimate \$'000	2025-26 Estimate \$'000
Revised Funding Profile:	-\$250	\$250	0	0	0

COVID-19 Business support – mediation support services for commercial lease negotiations					
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2022-23 [Budget Statements – Chief Minister, Treasury and Economic Development Directorate, page 56](#)

Projected Achievements

- The Taskforce has commenced work on a number of Agenda items.
- The Taskforce has delivered on a significant component of the Agenda following the commencement of automatic mutual recognition of occupation licensing in the ACT on 1 July of this year.
- For the remainder of 2022, it is prioritising work on:
 - mapping the end to end business user experience for selected business types;
 - developing options to better measure regulatory burden;
 - reviewing the Local Industry Participation policy;
 - understanding the cost to business to respond to requests for quotes /tenders;
 - developing options to improve existing regulatory arrangements including: short term rental accommodation, employment agents licensing and training courses for interstate responsible service of alcohol certificate holders.
- The Taskforce is also supporting work across ACT Government on the following agenda items in 2022:
 - dedicated proactive business support team delivered through a concierge model;
 - improved web resources for business including continued development of the Business Hub.
- The next public reporting milestone is in early 2023.

ISSUE: Territory Records Office**Talking points:**

- The Territory Records Office (TRO) assists the Director of Territory Records in fulfilling the position's functions as set out in section 33 of the *Territory Records Act 2002*.
- TRO support includes:
 - working across government to identify and deliver strategic solutions for information governance and recordkeeping
 - providing a range of advice, products and services to agencies and working with them on the application of information governance standards and records disposal requirements
 - monitoring and reporting on agency information governance maturity
 - promoting ACT Government archives to the community and providing a public reference service that assists the community to access ACT Government archives held by agencies.
- The TRO also has regulatory functions with regard to the records, both digital and hard copy, that provide evidence of ACT Government actions and decisions.

Key Information

- Director of Territory Records functions as set out in Section 33 of the Act include:
 - developing standards and codes for records management by agencies
 - monitoring disposal of records by agencies
 - examining the operation of agency records management programs, and reporting on compliance
 - assisting in the provision of access to Territory records by the public.
- Key areas of focus for the Office for the 2021-22 financial year have been :
 - working across government to explore the potential for improvements to the Open Access Information portal
 - improving awareness of records and information management across ACT Government
 - delivering an online system, *ACT Memory* to support public access to ACT Government archives
 - streamlining the messaging in recordkeeping induction material
 - continuing to work with Digital, Data and Technology Solutions to embed recordkeeping principles into ACT Government systems design

- improving the use of our agency maturity assessment process as an evidence base for further capability development.

Background Information

- ACT Government agencies and directorates are responsible for ensuring they meet the requirements of the *Territory Records Act 2002*, including by ensuring safe storage of their records and assisting members of the public to have access to publicly available archives.
- Unlike archives authorities in most Australian jurisdictions, the TRO does not take custody and management of an archival collection on behalf of the ACT. Custody of ACT Government records is primarily managed by Shared Services on behalf of agencies, on a fee for service basis.
- The TRO's public access service, ArchivesACT, is co-located with the Heritage Library and works closely with Library staff to promote ACT archives and meet the needs of researchers.
- The TRO plays a small role in assisting agencies to meet requirements to proactively publish some categories of documents under the Open Access Information Scheme.
- The TRO also assists the Chief Minister to prepare his annual statement on improving access to government information, which is a requirement under the *Freedom of Information Act 2016*.
- In addition, the Territory Records Office is responsible for the management of the whole of government intellectual property licensing.
 - Under the *Copyright Act 1968 (Cth)* governments are required to pay a license fee to 'collecting societies' to compensate for the use of private intellectual property in the course of government operations.
 - The ACT Government pays annual license fees to Copyright Agency (CA), the Australasian Performing Rights Association (APRA) and Screenrights.

ISSUE: Digital Records for Digital Government**Talking points:**

- The Territory Records Office is the recordkeeping regulator and archives authority for the ACTPS. The Office sets standards and provides advice and guidance to agencies on recordkeeping practice and assists members of the public to have access to ACT Government archives.
- A 2018-19 Budget initiative provided funding to increase the rate of ACT Public Service transition to digital recordkeeping. This initiative has also assisted public servants to transition to a 'paper-lite' office environment by providing advice on approaches to managing existing paper documents.
- This was a shared initiative between the TRO and Shared Services. The TRO received \$1.1m over four years for its part of the initiative. Funding concluded at the end of the 2021-22 financial year.
- The TRO funding supported a small project team to advise agencies in preparation for the move into new office accommodation. That team conducted surveys for relevant business areas, provided advice on appropriate management strategies and dedicated resources to support the physical records transition.
- Three additional staff were recruited through the ACT Government's *Jobs for Canberrans* program. The program was established to provide employment opportunities for people who lost their jobs or were significantly impacted due to COVID-19 and were not eligible for the Australian Government's wage subsidy scheme or other support.
- The funding also supported the recruitment of a senior officer to conduct research and make recommendations on the future state of digital recordkeeping arrangements for the ACTPS. That report was completed in 2020-21 and highlighted the need for improved human capability across government to manage records in digital environment. In response to the report's recommendations the TRO has now developed an implementation plan to help build records and information capability across ACT Government.
- A key requirement of the *Territory Records Act 2002* is that principal officers of agencies ensure that full and accurate records are kept of

agency activities. Agencies must also ensure the safekeeping and proper preservation of their records.

- The recent audit report *Digital Records Management Report No.11/2021* summarised the achievements of more agencies moving to digital recordkeeping. The implementation of the report's recommendations will ensure the continued improvement of records and information management maturity across ACT Government.
- At the conclusion of the 2021-22 financial year the total number of users on Whole of Government EDRMS reached 7852. There is an additional 1808 users on directorate specific instances of Content Manager (TRIM) making a total of 9660 users working in an EDRMS.
- The Territory Records Office takes an educative approach to its work with agencies to assist them in their compliance with the Act. The TRO provides a range of advice products and services, and works with agencies to develop records management policies and procedures that support compliance.
- TRO products and services include:
 - The Standard for Records and Information Governance, stating the principles underpinning good records management
 - Guidelines to assist in the application of the principles
 - Advice products on various practical records management questions
 - Support for a Records and Information Management Community of Practice
 - An annual maturity assessment to inform agencies on areas of strength and avenues for improvement

Key Information

- Total funding for the Digital Records budget initiative is \$26.2m over four years ending 2021-22.
- Of this, \$22.1m will be offset by expected savings in agencies and by centralising some existing agency funding in Shared Services.
- New funding of \$4.1m over four years consists of:

- \$0.9m for Shared Services to increase the rate of the rollout of digital recordkeeping, including enhanced support for business areas transitioning to the new system
 - \$0.2m for the Territory Records Office to develop a long-term strategy for integrated digital recordkeeping across government
 - \$0.9m for the Territory Records Office to assist agencies to address legacy paper records issues
 - \$2.1m for Community Services Directorate to digitise existing Community Services files.
- The additional FTE for the lead agencies is:

	2018-19	2019-20	2020-21	2021-22
Territory Records Office	2.5	4.5	2	0
Shared Services	0.5	1	1	1
Community Services Directorate	4	3.5	3	0

- The Territory Records Office's ongoing funding is predominantly through direct appropriation. Up until end 2020-21, the Territory Records Office's ongoing funding was through a combination of direct appropriation and recoveries from Directorates. The TRO's budget for 2020-21 was \$1.1m.

Background Information

- The ACTPS currently uses two electronic document and records management systems (EDRMS): MicroFocus Content Manager (often known as TRIM) and Objective.
- The TRO engaged Yellow Edge Pty Ltd to assist in the development of a five year plan to help drive change and embed the practical and cultural responses required across government to implement recommendations within the report on building records and information capability across ACT Government. Implementation of this plan commenced in 2021-22, although some elements have been delayed due to staff illness and delays in recruitment.

CONTRACTS FOR THE PROVISION OF SERVICES - 2021-22

WorkSafe ACT entered into a number of contracts for services during the 2021-22 financial year. They were as follows (in date order):

TBF Consulting – the Chair of the WorkSafe ACT Audit and Risk Committee. This contract signed on 25 October 2021.

Marie Boland Workplace Relations – conduct of work health and safety prosecutions review. This contract was signed on 23 March 2022.

Kylie James Coaching – the provision of support to facilitate planning for 2022-23 across WorkSafe ACT (business planning). This contract was signed on 19 April 2022.

ThinkPlace Australia Pty Ltd – undertake research into silica dust exposure in the ACT. This contract was signed on 24 May 2022.

Rowdy Co Pty Ltd – develop a suite of branding and associated guidelines for the WorkSafe ACT Young Workers Strategy. This contract was signed on 26 May 2022.

Nous Group – audience research and stakeholder engagement survey. This contract was signed on 14 June 2022.

Kylie James Coaching – the provision of support to facilitate planning for 2022-23 across WorkSafe ACT (bulk recruitment and training planning). This contract was signed on 28 June 2022.

Nous Group – consolidation of documentation of standard operating procedures and operating manuals. This contract was signed on 22 July 2022 (*)

(*) This contract was executed after 30 June 2022.

Residential construction and operation safe prospect

Key Statistics

2022	WPVs	Improvement	Prohibition	Infringement
Feb	243	336	32	6
March	312	284	43	13
April	129	212	25	5
May	128	210	37	27
June	102	123	45	0
July	121	137	33	6
Total	1035	1302	215	57

1. Key breaches resulting in improvement notices include:
 - Inadequate workplace facilities
 - Not managing the risk of falls
 - Inadequate workplace security.
2. Key breaches resulting in prohibition notices include:
 - Primary duty of care
 - Scaffolds
 - Inadequate workplace facilities
 - Not managing the risk of falls.
3. Key breaches resulting in infringement notices include:
 - Not managing the risk of falls
 - Compliance with safe work method statements.

RESIDENTIAL CONSTRUCTION STRATEGY 2022-24

4. With a focus on continuing to improve safety behaviours in the residential construction industry, WorkSafe ACT successfully launched the [updated Residential Construction Strategy 2022-24](#) on 29 June. The event was held at Denman Village Community Centre.
5. Minister for Industrial Relations and Workplace Safety, Mick Gentleman MLA, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction, Rebecca Vassarotti MLA, members of the WHS Council, and representatives from industry associations, union groups and media personnel attended the event.

6. WorkSafe ACT developed a Residential Construction Strategy (the Strategy) in early 2020 with a mission to detect contraventions in the sector and ensure compliance under the WHS Act and WHS Regulation 2011.
7. The Strategy was followed by the launch of Operation Safe Prospect; WorkSafe ACT's ongoing campaign focussed on increasing workplace visits to improve safety standards in the residential construction industry.
8. An analysis undertaken on the outcomes of the Strategy and Operation Safe Prospect revealed little change in safety behaviours and compliance with the WHS laws in the residential construction industry.
 - In the ACT, the construction sector has had the highest number of workers' compensation claims for the past five years.
 - Small to medium business make up 97.4% of claims.
 - In 2020-2021, twice as many improvement notices were issued per visit compared to the previous year.

Hazards

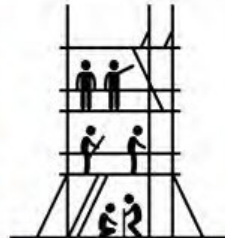
The most common breaches in residential construction are:



Falls from heights



Inadequate facilities



Scaffolding



Site security

Objectives

The key objectives of the Strategy are:



Embed WHS in work design and systems



Secure stakeholder commitment to improve compliance rates



Enforce compliance across the residential construction industry



Build WorkSafe ACT's capability and capacity as a responsive regulator

3. D Nous Review Recommendations

Key messages

1. The 2018 Independent Review of the ACT's work safety compliance infrastructure, policies and procedures by the Nous Group made recommendations for improving the ACT's work health and safety compliance and enforcement arrangements.
2. WorkSafe exceeded its target for 2020-21 by implementing 22 of the 27 recommendations (20 was the target).
3. WorkSafe considers that the remaining 5 recommendations have been implemented during 2021-22 noting approval from the WHS Council is still required. A closure report will be submitted to the WHS Council during 2022-2023 to seek its agreement. The Chair of the WHS Council provides a statement for inclusion in the WorkSafe ACT annual report and its agreement to the implementation of all recommendations will be included in the 2022-2023 Annual Report.

Overview of 5 recommendations implemented during 2021-22

Recommendation 4

Review and update policies and procedures to ensure they align with the Compliance Framework and establish a process and assign responsibility for keeping all documents current.

4. A review and update of all Standard Operating Procedures (SOPs) has been undertaken by WorkSafe ACT and these have each been approved by the Work Health and Safety (WHS) Commissioner. Where relevant, these SOPs have been aligned with the Compliance and Enforcement Policy. The NOUS Group has subsequently been engaged to undertake a systemic review of the SOPs to ensure completeness, readability and consistency. Following the completion of this final review, this recommendation will be included in the closure report to be considered by the WHS Council during 2022-2023.

Recommendations 8, 18, 24 and 25

5. The WorkSafe ACT Capability Framework approved by the WHS Commissioner on 14 December 2021 (see attached approval from the WHS Commissioner and approved Framework) directly addresses these recommendations and seeks to address concerns raised in the 2018 Independent Review to improve organisational capability by increasing individual skill levels and competency across the agency, but particularly inspectors and investigators. In short this is to mitigate the regulatory risks of either under-trained inspectors, or an inability to demonstrate appropriate training in an enforcement or prosecutorial capacity. The relevant recommendations are:

- ensure WorkSafe ACT has the capability and knowledge to effectively use the current systems and the data analytics services available to them (**Recommendation 8**)
 - continue to improve procedures and expand investigative skills to support successful enforcement outcomes (**Recommendation 18**)
 - consider developing a formal and comprehensive internal training and development program, leveraging similar programs developed in other jurisdictions (**Recommendation 24**), and
 - consider developing a formal succession planning process to ensure knowledge, skills, and experience of the current workforce is captured and able to be transferred to new recruits (**Recommendation 25**).
6. WorkSafe ACT is implementing the Capability Framework through a comprehensive training program which covers both existing and new employees. WorkSafe ACT has established a Quality, Coaching and Systems (QCS) Team to deliver the regulatory training program through internal and external sources. QCS is also responsible for managing the final review of the SOPs and manuals, ensuring these SOPs and manuals are available to all staff via the Sharepoint site, that the content of the SOPs and manuals are incorporated in the training program, maintained through programmed review and ensuring any changes as a result of legislative or other change are included in the training program.

Psychosocial Matters including PAW update and uptake in the ACT

Key Statistics

- People at Work
 - ACT Organisational uptake was approx. 20%
 - ACT stakeholder engagement accounts for 5.8% of users
 - 1300 valid responses received
- There have been two reported complaints of sexual harassment in Canberra workplaces
- The Psychosocial Retail and Hospitality Campaign 2021-2022 saw 504 workplace visits with focus on young workers. Culturally and linguistically diverse (CALD) workers accounted for 43% of workers in the industry. The campaign data via iAuditor indicated:
 - 35% of workers were unaware of any workplace bullying policies
 - 6% were subjected to workplace bullying
 - 32% identified being exposed to either physical or verbal violence
 - 29% were unaware of processes dealing with occupational violence

Key messages

- WorkSafe ACT have a dedicated team of inspectors dealing exclusively on psychosocial matters including sexual harassment and occupational violence
- An increase in ACT government complaints in the areas of health, education and TCCS.
- Increase in reports of occupational violence with occupational bullying the most common complaint received by the Psychosocial team
- Prolonged engagement into occupational violence in schools including the Prohibition Notice issued at Calwell High School
- In October 2021, WorkSafe ACT launched its Psychological Strategy and identified priority groups and industries
 - Aged Care
 - Education and training sector
 - Disability sector
 - Health sector
- Proactive campaign in Aged Care sector to commenced in the next 3 months
- WorkSafe ACT have developed its own inspector led Psychosocial Maturity Indication Tool through iAuditor which allows inspectors to apply evidence -based questions to determine compliance into psychosocial matters

SILICA

Key Statistics

1. The Occupational Hygiene team continue to monitor the compliance of businesses that work with Engineered Stone in accordance with the *Work Health and Safety Act and Regulation 2011*.
2. A total of 8 (eight) engineering stone workplaces inspections were conducted in the last financial year.
 - 15 Improvement notices issued in relation to health monitoring, air monitoring, inadequate PPE and housekeeping
 - 1 Prohibition notice issued in relation to review of control measures, and
 - Worksafe ACT received 1 (one) notification advising worker contracted a serious illness related to silica dust.

Key messages

3. Commitment to strengthen work safety laws and to protect tradespeople from exposure to silica dust the *Work Health and Safety Amendment Regulation 2022 (No1)* enacted from 14 July 2022 in the ACT.
4. The Amendment outlines that
 - Persons conducting a business or undertaking (PCBUs) must not direct or allow uncontrolled dry cutting of materials containing crystalline silica.
 - Mandatory silica awareness training for workers in high-risk crystalline silica work. Worksafe ACT inspectors are providing information regarding mandatory silica training during workplace visits.
 - A new nationally accredited training course has been declared effective from 22 July 2022 and must be completed by 1 July 2023.
 - PCBUs must supply the relevant personal protective equipment (PPE). This includes respiratory protective equipment (RPE) which must be properly fit tested and maintained.
 - To address stakeholder's issues such as specific activities where wet methods may be impractical and time to plan and prepare for the changes outlined in the Amendment Exemption has been granted to Work Health and Safety Amendment Regulation 2022 (No1) until 17 October 2022.
 - All sections in the Amendment relating to crystalline silica will fully apply to engineered stone products.
5. A statement to the Amendment was issued on 13 July 2022, providing for an exemption to specific parts of the Amendment:

Statement from the WHS Commissioner: Compliance with the Work Health and Safety Amendment Regulation 2022 (No1) Crystalline Silica

13 July 2022

The prohibition on the uncontrolled mechanical cutting of material containing crystalline silica, under the WHS Amendment Regulation 2022 (the Amendment) is scheduled to come into effect on 14 July 2022.

Since the release of the Amendment, industry stakeholders have brought a range of issues to my attention; issues such as time to plan and prepare for the changes outlined in the Amendment and specific activities where wet methods may be impractical.

To allow additional transition time for industry and also time for me to consider these activities and obtain expert advice, I have issued an exemption for parts of the Amendment.

From 14 July 2022, all sections in the Amendment relating to crystalline silica will only fully apply to engineered stone products.

For all other products and materials that contain silica, and until **17 October 2022**, persons conducting a business or undertaking (PCBUs) are exempt from the application of section 418B (a) and 418C (b)(i).

All PCBUs continue to be expected to apply all reasonably practicable control measures when modifying materials containing silica, including where possible, wet methods.

WorkSafe ACT will continue to undertake inspections in line with the Compliance and Enforcement Policy and take regulatory action as required.

However, the requirement to use wet cutting methods in combination with another control and respiratory protective equipment (RPE) will not be enforced until 17 October 2022.

During this period, I encourage and welcome PCBUs and other stakeholders to contact WorkSafe ACT with relevant information about specific practices where wet methods in combination with another control and RPE are impractical. For example, due to current limitations in technologies or where water may be incompatible with a certain silica containing material. This information will be of great importance in my considerations moving towards the end of the exemption period in October this year. Please contact my team at worksafe@worksafe.act.gov.au and if you need more information about managing silica dust at the workplace, please visit the WorkSafe ACT [website](#)

Jacqueline Agius

WHS Commissioner

6. WorkSafe ACT is reaching out to industry to better understand the limitations to the new requirements and where there are technological issues with equipment or incompatible materials.
7. A broader awareness campaign will be rolled out in the transitional period over social media, subscriber emails and advertising.
8. The Amendment also implemented mandatory silica awareness training for workers in high risk crystalline silica work.
 - 10830NAT – Course in Crystalline Silica Exposure Prevention
9. Persons conducting a business or undertaking (PCBUs) must ensure that all workers that are engaged in high-risk crystalline silica work are trained from 1 July 2023.

10. The instrument declaring the training course and occupations for the mandatory silica dust awareness training requirement was notified on 21 July 2022 ([Appendix A](#)).
11. WorkSafe ACT has also procured a research report with ThinkPlace into silica dust exposure in the ACT and the barriers being faced by industry.
 - This research included nearly 30 interviews with a range of PCBUs and workers in a number of industries and occupations.
 - It is anticipated to be released in October as part of Safe Work Month.

APPENDIX A: Occupations listed requiring mandatory silica awareness training

ANZSCO occupation code	Column 2 ANZSCO occupation title
334112	Air-conditioning and Mechanical Services Plumber
342111	Air-conditioning and Refrigeration Mechanic
232111	Architect
721212	Backhoe Operator
331111	Bricklayer
821111	Builder's Labourer
312112	Building Associate
312113	Building Inspector
821411	Building Insulation Installer
721213	Bulldozer Operator
342411	Cabler (Data and Telecommunication)
331212	Carpenter
331211	Carpenter and Joiner
233211	Civil Engineer
312212	Civil Engineering Technician
711199	Clay, Concrete, Glass and Stone Processing Machine Operators nec
711111	Clay Products Machine Operator
811211	Commercial Cleaner
711112	Concrete Products Machine Operator
821211	Concreter
133111	Construction Project Manager
821711	Construction Rigger
821112	Drainage, Sewerage and Stormwater Labourer
334113	Drainer
821113	Earthmoving Labourer
721211	Earthmoving Plant Operator (General)

ANZSCO occupation code	Column 2 ANZSCO occupation title
233311	Electrical Engineer
312312	Electrical Engineering Technician
899914	Electrical or Telecommunications Trades Assistant
341111	Electrician (General)
341112	Electrician (Special Class)
233411	Electronics Engineer
133211	Engineering Manager
721214	Excavator Operator
821311	Fencer
333211	Fibrous Plasterer
332111	Floor Finisher
334114	Gasfitter
233212	Geotechnical Engineer
333111	Glazier
899311	Handyperson
821412	Home Improvement Installer
399912	Interior Decorator
331213	Joiner
821913	Lagger
232112	Landscape Architect
341113	Lift Mechanic
721216	Loader Operator
323313	Locksmith
312512	Mechanical Engineering Technician
332211	Painting Trades Worker
841913	Pest Controller
334111	Plumber (General)
821114	Plumber's Assistant
312115	Plumbing Inspector
133112	Project Builder
334115	Roof Plumber
333311	Roof Tiler
312611	Safety Inspector
821712	Scaffolder
899918	Sign Erector
333212	Solid Plasterer

ANZSCO occupation code	Column 2 ANZSCO occupation title
821713	Steel Fixer
331112	Stonemason
711114	Tone Processing Machine Operator
233214	Structural Engineer
821714	Structural Steel Erector
342414	Telecommunications Technician
333411	Wall and Floor Tiler
322313	Welder (First Class)

6. Enforcement data

1. In financial year 2021/22 WorkSafe ACT:

- a. conducted 3,335 workplace visits
- b. Issued
 - i. 2,331 improvement notices
 - ii. 405 prohibition notices and
 - iii. 38 infringement notices

to the value of \$149,074.

- c. Workers' compensation – 399 workplace visits, 13 infringement notices to the value of \$19,500 and 19 premium recoveries to the value of \$429,547.28 notices, 3 Section 190 (provision of information to inspectors) notices and 6 premium recoveries.

2. In financial year 2020/21, WorkSafe ACT:

- a. conducted a total of 2,510 workplace visits
- b. issued 1,840 improvement notices
- c. 459 prohibition notices, and
- d. 96 infringement notices

to the value of \$285,984.

- e. Workers compensation - 14 premium recoveries.

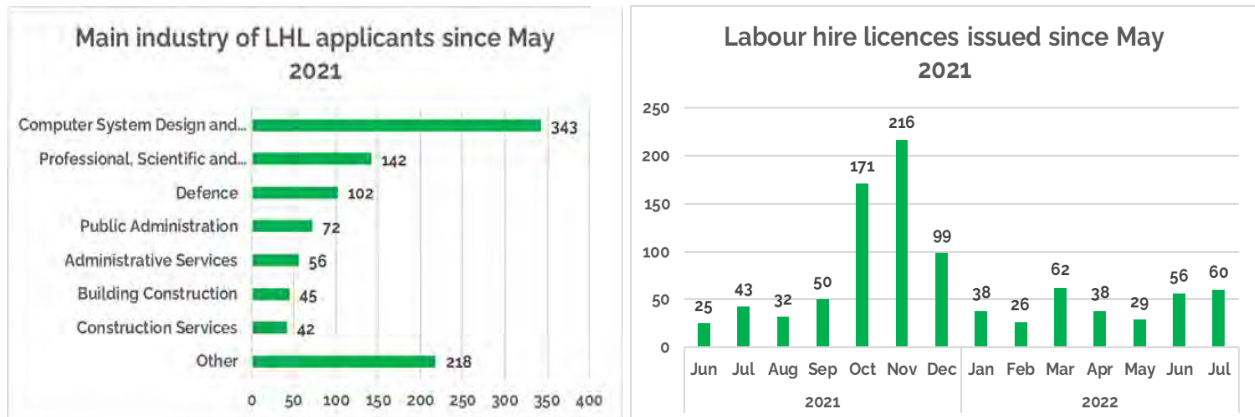
Key messages

3. WorkSafe ACT implemented a new case management system in October 2020 (Salesforce).

4. Enforcement data is used to inform future operations and is accessible via the WorkSafe Website and through media and stakeholder engagement.

7. Labour Hire Licensing

Key Statistics



1. Since the launch of the LHL scheme on 27 May 2021, a total of 1020 applications have been received and a total of 945 licences issued.
2. The industries with the highest number of licence applications to date are:
 - computer system design and related services (34%),
 - professional, scientific and technical services (14%), and
 - defence (10%).

Key messages

3. The LHL Act commenced in May 2021. The purpose of the LHL scheme is to encourage responsible practices in the ACT labour hire industry and to ensure labour hire businesses operating in the Territory meet their workplace obligations and responsibilities to their workers. The LHL scheme creates a framework intended to prevent and respond to non-compliance with workplace standards in the labour hire industry.
4. In accordance with the LHL Act, the WHS Commissioner is also the LHL Commissioner. WorkSafe ACT is responsible for determining the suitability of provider applications for a licence as well as undertaking compliance and enforcement activities associated with the LHL scheme.
5. The following persons are not workers for the purposes of the LHL Act:
 - a. an individual whose annual wages are equal to or more than the amount of the high income threshold under the Fair Work Act 2009 (Cwlth);
 - b. an in-house employee (seconded) of a provider whom the provider supplies to another person to do work on a temporary basis on 1 or more occasions;
 - c. an individual who is a public sector employee;
 - d. internal labour hire arrangements.

Salesforce Project Status

A Request for Tender (RFT) was released to eight selected vendors to build and integrate 29 WorkSafe ACT forms/processes into the WorkSafe Salesforce instance. The project is referred to as Salesforce Phase three, the forms include the Labour Hire Licence renewal process, section 155 Notices, and a range of dangerous substance licence and applications. Several forms will be created; a number will be transitioned from SmartForms which are currently hosted on the Access Canberra website to the WorkSafe ACT website; the advantage is that the information/applications will now go directly into salesforce as a case.

The RFT closes on the 21 August 2022, ACT procurement is coordinating the evaluation with the panel including Lydia as the WorkSafe internal subject matter expert, Stephen W from TCCS as an external subject matter expert, and Matt Davis representing WorkSafe and the ACT Procurement project manager who will oversee the process.

Asbestos safety and other hazardous chemicals (including Mr Fluffy)

Key Statistics

1. The Occupational Hygiene team continue to monitor the compliance of loose fill asbestos affected properties in line with the *Dangerous Substances Act 2004*.
2. A total of 16 loose fill asbestos (Mr. Fluffy) affected properties are currently not acquired by the Territory:
 - 14 properties have non-compliant asbestos contamination management plans, and
 - two (2) properties are compliant.
3. In June, Worksafe ACT wrote to the owner of each non-compliant premises, informing them that their asbestos contamination management plans did not meet the requirements of the *Dangerous Substances Act 2004* and that they were required to take the necessary actions to comply
 - the Occupational Hygiene team will be following up with regulatory action for those premises that have not taken actions to comply.
4. The Occupational Hygiene team continue to monitor and review:
 - approximately 250 removal notifications per month, and
 - the Public Register of asbestos assessors and removalists which currently consists of 188 entries.
5. WorkSafe ACT Inspectors conducted 37 compliance inspections relating to hazardous chemicals or dangerous substances (non-asbestos related) last financial year.

Key messages

1. The Asbestos Response Taskforce (ART) ended on 30 June 2022.
2. From 1 July 2022, the remaining functions of the taskforce will be delivered by the Loose Fill Asbestos Coordination Team.
3. WorkSafe ACT is currently negotiating a memorandum of understanding to continue information sharing and agree to regulatory supports, such as inspections during demolitions.

Zurich Financial Services Australia Limited

Key messages

- Zurich has written to me, as the Regulator, giving notice it will be surrendering its approved insurer workers' compensation licence with effect from 30 September 2022
- It will be unable to write workers' compensation policies in the ACT on and from 1 October 2022
- Zurich has given an undertaking to me that it will continue to manage new and existing workers' compensation claims for workers injured under one of its policies
- With regard to the current and previous licences, WorkSafe ACT can take enforcement and compliance action against Zurich for breaches of legislation as if it were still an approved insurer
- Zurich has been fully cooperative with the ACT Gov throughout the process to surrender its licence and has provided additional material as requested by WorkSafe ACT
- Specific information regarding Zurich's exit from the scheme is available on both the WorkSafe ACT and Zurich web sites.

Major Investigations

Key Statistics

- 11 cases under investigation including one disputed liability infringement notice
- 2 cases with the Director of Public Prosecutions
- 3 cases before the courts
- 2 Cases before the Coroner
- 2 Enforceable Undertakings

Key messages

- The Major Investigations Team are currently undertaking ongoing training in drone and total station equipment for evidence collection purposes
- Currently recruiting for additional team members
- Two investigations involve fatalities: death of a transport worker on defence property and suicide
- Investigation underway for Geocon Shoring Wall collapse in Phillip on 6 August 2022 with engagement of expert witnesses (Structural Engineer & Geotechnical engineer)

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 1: ACT Executive Travel

Key Message:

Official travel to further the interests of the ACT is a component of ministerial duties. Ministerial travel has been significantly affected by travel restrictions during the COVID-19 pandemic.

Key Information

- The majority of official travel undertaken is domestic travel and predominantly relates to National Federation Reform Council meeting requirements.
- Overseas travel undertaken by Ministers is in accordance with the international engagement strategy.
- The ACT Executive reports quarterly on official travel undertaken by Ministers and staff.
- Reports are published for each quarter (two months behind), after final invoices/receipts are available and reconciled. Reports can be found on the ACT Government Open Access Website.
- Ministerial Statements providing advice around the details of international travel, including destinations, objectives and benefits for the Territory, are generally delivered by relevant Ministers within the first sitting period after the travel has been undertaken.

Table 1: Collated information on International Travel

	International Trips	Cost
2020-21		
Ministers	1	\$5,337
Staff travelling with Ministers	1	\$9,962
Total		\$15,299
2021-22		
Ministers	0	0
Staff travelling with Ministers	0	0
Total	0	0

Background

Table 2: 2020-21 International Travel

	Date of Travel	Destination	Reason for Travel	Cost Ministers & Staff	Cost Minister only
Chief Minister, 2 x Ministerial staff	26 May – 29 May 2021	New Zealand	Trade Mission	\$15,299	\$5,367
			Total	\$15,299	\$5,367

Cleared as complete and accurate: Allan McLean
Cleared by: Robert Wright
Contact officer: Tracey Henry

Ext:
Ext:

TOPIC 2: CHANGES TO CMTEDD STAFFING NUMBERS

Key Message:

The 2022-23 Budget FTE for CMTEDD is 2,677 FTE.

Key Information

- The 2022-23 Budget FTE of 2,677 is 46.8 FTE above the 2021-22 Estimated Outcome and is an increase of 79.4 FTE from the 2021-22 Budget.
- This is mainly due to new initiatives – a total of 97.5 FTE have been funded in new initiatives for CMTEDD. The remaining increase is largely due to additional graduate program positions and graduates returning to business units in ASO 5 positions; and the filling of vacant positions and backfilling for staff on maternity and long-term leave.
- This is partially offset by the impact of discontinued budget initiatives (-83.6 FTE), noting that many of the discontinuing initiatives have been replaced by new initiatives that may engage similar skillsets or staff. For example, initiatives related to Access Canberra service pressures and various COVID-19 responses.
- There was a variance of 32.6 FTE between the 2021-22 Estimated Outcome to 2021-22 Budget. This is largely due to the engagement of additional staff to assist with a backlog of services that had arisen from the impact of COVID-19; and a general increase across the Directorate to deal with a range of issues, including economic recovery, managing the demand for services, and delivering on the Government's priorities.

Table 1: Estimated Employment Level

	2020-21 Actual Outcome ¹	2021-22 Budget ²	2021-22 Estimated Outcome ¹	2022-23 Budget ²
Staffing (FTE) ³	2,566	2,598	2,630 ⁴	2,677 ⁵

Note(s):

1. These figures relate to staffing levels paid at the end of the financial year.
2. These figures relate to estimated average annual staffing figures.
3. All figures include FTE estimates for the following agencies, due to CMTEDD staff providing administrative support to them on a cost recovery or resources provided free of charge basis: ACT Gambling and Racing Commission, Lifetime Care and Support Fund, Motor Accident Injuries Commission, Public Sector Workers Compensation Fund, Superannuation Provision Account and Territory Banking Account.
4. The difference between the 2021-22 estimated outcome and the 2021-22 Budget is mainly due to additional positions to meet government priorities, particularly the COVID-19 response, and an increase in demand for services.
5. The difference in the 2022-23 Budget from the 2021-22 estimated outcome is mainly due to new and continuing initiatives, including those that assist with COVID-19 recovery, economic development and managing the demand for services.

Background Information

- CMTEDD's estimated employment level is published on page 8 of the Chief Minister, Treasury and Economic Development Directorate Budget Statement B.

Cleared as complete and accurate:

Cleared by:

Robert Wright

Ext: Sch 2.2(a)(ii)

Contact officer:

Chris Cole

Ext: Sch 2.2(a)(ii)

Portfolio: CMTEDD CORPORATE

TOPIC 3: CMTEDD STAFFING – FTE AND HEADCOUNT BY GROUP

Key Message:

CMTEDD currently employs 2777 staff (headcount) against 2663.20 FTE (as of pay day 22 June 2022). *This figure excludes ACTIA, and aligns with how Budget Papers are presented.*

Key Information

*These figure exclude ACTIA, and aligns with how Budget Papers are presented.
FTE excludes labour hire.*

GROUP	As at last pay (22/06/2022)		Budget 2021-22	Actual outcome 2021-22
	Headcount	FTE	FTE	FTE
ACCESS CANBERRA	764	729.17	678.8	732.02
FINANCE SERVICES*	15	14.80	54	15.80
COMMS AND ENGAGEMENT	54	50.95	53.43	47.95
CORPORATE**	118	108.00	84.3	108.76
DDTS**	502	490.16	493.11	468.73
ECONOMIC AND FINANCIAL	41	40.37	45	42.38
ECONOMIC DEVELOPMENT	297	272.91	245.78	269.78
FINANCE AND BUDGET	54	52.37	63.1	53.61
INFRASTRUCTURE FINANCE AND REFORM	6	5.64	6	6.00
OFF DEP UNDER TREAS BPIF	3	3.00	2	2.00
OFF DEP UNDER TREAS ERIPSS	5	5.00	5	5.00
OFFICE HEAD OF SERVICE	3	3.00	3	3.00
OFFICE INTERNATIONAL ENGAGEMENT	9	8.80	6.5	7.5
OFFICE UNDER TREASURER	5	4.55	5	5.54
POLICY AND CABINET	81	77.18	86.5	77.6
PROCUREMENT ACT	44	44.00	47.41	49.00
REVENUE MANAGEMENT	125	119.20	118	119.16
PROPERTY AND SHARED SERVICES****	461	447.56	421.45	437.5
STRATEGIC FINANCE	25	24.62	25	24.61
WCAG inc WSIR	165	161.92	154.42	154.4
CMTEDD Total (exc. ACTIA)	2777	2663.20	2597.8	2630.34
Budget Papers rounding	N/A	N/A	2598	2630

* Due to a restructure in September 2021 staffing numbers for Business Enablement Services are now included under Corporate with the exception of Finance functions, grouped under Finance Services which continues to report under Treasury Stream.

**Total figures of Corporate include 18.0 graduates, which are not reflected in above breakdown but were counted in Budget papers.

***Staffing numbers for the Digital, Data and Technology Solutions Group are listed as one line item under Treasury stream, but this group includes staff with reporting lines through both the Chief Minister Stream and Treasury.

****Due to a restructure in November 2021, staffing numbers for ACT Property Group and Government Office Projects now report under Property & Shared Services in the Treasury Stream.

TOPIC 4: CMTEDD STAFFING – Workforce Profile

Key Message:

- CMTEDD currently employs 2777 staff (headcount) against 2663.23 FTE.
- The number of casual employees in CMTEDD’s workforce has declined, in line with government agendas to reduce insecure work.

Workforce (employees)

- A majority of CMTEDD’s workforce is permanent (2360 or 85%)¹
- 90.4% of the workforce is full time (2510)
- 9.6% of the workforce is part-time (267).
- There are 417 staff employed temporarily (14.2%) or casually (0.8%).

Employment Type	June - 2020	June - 2021	June - 2022
Total Headcount	2513	2647	2777
Permanent	84.7%	84.9%	85%
Temporary	13.5%	13.6%	14.2%
Casual	1.8%	1.5%	0.8%
Full Time	89.2%	89.8%	90.4%
Part Time	10.8%	10.2%	9.6%

	Total Headcount	Permanent	Temporary	Casual	Full Time	Part Time
All Staff	2777	85.0%	14.2%	0.8%	90.4%	9.6%
² Aboriginal and/or Torres Strait Islander	59	74.6%	24.4%	0%	81.36%	18.64%
² Culturally and Linguistically Diverse	683	78.5%	20.9%	0.6%	94.44%	5.56%
² People with Disability	121	88.4%	10.7%	0.8%	82.64%	17.36%
² Women	1501	85.4%	14.0%	0.6%	85.74%	14.26%

¹Data is from CHRIS21, as of pay day 22 June 2022, which is the last pay cycle of the Financial Year. This workforce report excludes ACT Insurance Authority employees; and labour hire.

²The percentages of permanent/temporary/casual/full-time/part-time for each diversity cohort are derived from their respective diversity headcount.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 5: HR GENERAL – including employment programs, executive employment and training

Key Message:

CMTEDD has several entry programs, a large Executive cohort and comprehensive training.

Key Information

Employment programs

- CMTEDD recruited 18 graduates in this year's ACTPS Graduate intake and plans approximately to take on approximately 40 in 2023 (mainly due to 15 for ICT).
- CMTEDD Employment Pathway Program (EPP) for Aboriginal and Torres Strait Islander people (ASbA - Australian School based Apprenticeship)
 - 10 school-aged students are currently completing the EPP across various CMTEDD business areas.
 - 5 CMTEDD Aboriginal and Torres Strait Islander staff participated in the ACTPS Vocational Employment Pathway Program and are employed permanently with the Directorate.

CMTEDD ICT Traineeship is currently being planned for commencement in 2023.

Executive employment

- CMTEDD employed 92 Executive Officers as of last pay in 2021-22. No change in numbers from the last pay period in 2020-21.
- Of the 92 Executives in CMTEDD, 43 identified as female and 49 as male.

Training (data as of 30 June 2022)

- CMTEDD's focus of capability-building in 2021-22 was to:
 - continue to develop and deliver essential learning accessible for a largely remote or hybrid workforce, including developing new e-learning modules and offering flexible training.
 - address development needs identified through business priorities, strategies and staff survey feedback.
 - refine reporting on training completions, to inform targeted promotion.
 - develop a suite of leadership programs, including a CMTEDD mentoring program.
 - transitioning to the HRIMS Learning.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

- CMTEDD required learning includes induction, work health and safety, respect equity and diversity topics, domestic and family violence awareness, governance and compliance topics and supervisor skills.
- The following e-learning packages were developed/launched in 2021/2022:
 - Flexible Work Ergonomics
 - Recruitment
 - Occupational Violence
 - How PeopleSafety Works
 - 220LC Induction
- Additional webinars provided education in mental health and wellbeing and understanding superannuation.
- E-learning: During the reporting period 2021-2022 there were 9,201¹ module completions across 21 CMTEDD online courses.
- Instructor-led training: During the reporting period 2021-2022 there were 536 attendances (mostly virtual) across 32 instructor-led training sessions for five courses organised by CMTEDD Corporate.
- In addition to formal instructor-lead training, an e-learning, CMTEDD staff also participated in
 - supervisor programs,
 - SES masterclasses and
 - bespoke business area training.
- Whole-of-government training: During the reporting period 2021-2022, 611 CMTEDD employees participated in 77 whole-of-government training courses (34 e-learning and 43 instructor-led).
- Studies assistance: 27 CMTEDD employees received studies assistance reimbursements.

¹ Note : staff can access and complete an e-learning module multiple times.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 6: Appropriate Workplace Behaviour/Bullying and Harassment

Key Message:

- CMTEDD is committed to providing safe and healthy working conditions including preventing and responding to complaints of Bullying and harassment within the workplace
- **Code of Conduct:** During 2021-22, the *ACTPS Integrity Framework* was released, including an updated *Code of Conduct*. The updates to the Code of Conduct allow for increased employee awareness and understanding of their behavioural obligations.
- **Bullying and Harassment:** The ACTPS and CMTEDD actively report and address risks associated with bullying and harassment. There are currently 19 REDCOs in CMTEDD and a RED Executive Culture Champion.

Key Information

- *The following figures relate to matters received and managed by CMTEDD People and Capability only.*

Bullying and Harassment Complaints 2021-22	
Complaints reported to REDCOs	0
Complaints reported to HR teams	12
Complaints reported through other mechanisms (excluding RiskMan – this is reported on by WSIR)	3
Total bullying and harassment complaints	15
Number of bullying and harassment complaints that progressed to a preliminary assessment	10
Number of bullying and harassment preliminary assessments that progressed to an investigation	0 ¹

Overall Code of Conduct Matters 2021-22	
Misconduct investigations commenced	4
Admission statements commenced	2
Total processes commenced	6

¹ Please Note: although no complaints of bullying and harassment progressed to an investigation, four completed investigations which resulted in findings of misconduct, had elements pertaining to bullying and harassment.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Misconduct investigations finalised	11
Admission statements finalised	4
Total processes finalised	15
Finalised processes which resulted in findings of misconduct	11 ²
Finalised processes which resulted in no findings of misconduct	4
Sanctions imposed following finding of misconduct	
<i>Note: more than one sanction may have been imposed per matter, e.g. written reprimand plus financial penalty</i>	
Written reprimands	6
Financial penalties	4
Temporary or permanent transfer, to another position at level or lower classification	3
Terminations of employment	3
Employee resigned prior to sanction being imposed	1

- In addition to conduct matters, CMTEDD also terminated the employment of two permanent officers following underperformance processes.

² Four completed investigations which resulted in findings of misconduct had elements pertaining to bullying and harassment.

TOPIC 7: Fraud and Integrity

Key Message:

CMTEDD has a Fraud and Corruption Prevention Framework which includes a Fraud Risk Register. The Directorate works consultatively with the ACT Integrity Commission in relation to Fraud and Corruption issues, and the Audit and Risk Committee has oversight of fraud and corruption matters.

Key Information

SERBIR – current reporting period

- In 2021-22, the SERBIR was made aware of five matters that were referred to the ACT Integrity Commission.
 - Four of these matters related to CMTEDD staff, and one did not.
 - All these matters were the subject of mandatory notifications to the ACT Integrity Commission.
 - Two matters were referred to ACT Policing and the PSU. The PSU investigation has been “stayed” after both staff resigned and ACT Policing finalised their assessment of the matters.
 - Three matters remain the subject of assessment by the ACT Integrity Commission.
- In the 2020-21 year, the SERBIR received 12 allegations of fraud and corruption that were referred to the ACT Integrity Commission. Six matters were in relation to CMTEDD staff, and six were not.
- Matters are understood to relate to failures to appropriately declare, manage and/or avoid a Conflicts of Interest.

SERBIR – prior reporting period cases which remained open at the end of last financial year status

- An investigation conducted by the Professional Standards Unit (PSU) in relation to a Public Interest Disclosure (PID) from 2019-20, was concluded in the reporting period with no finding of misconduct.
- In relation to the ongoing CMTEDD internal cases reported in the previous annual report:
 - One matter remains the subject of assessment by the ACT Integrity Commission.

- One matter referred to the Senior Executive Responsible for Business Integrity Risk (SERBIR) has been finalised following a preliminary assessment with no further action required.
- One matter was referred for investigation to the PSU, and the employee subsequently resigned.
- Two matters referred to the PSU for investigation in 2020-21 have now been finalised: one resulted in a reduction in increment and formal reprimand; and the final matter had no misconduct determined.

ACT Integrity Commission

- CMTEDD has continued to engage with the ACT Integrity Commission on a range of integrity matters, ensuring a collaborative approach to fraud and corruption prevention.

Education and Awareness

- In the 2022 CMTEDD Staff Survey 96% of staff responded positively to the question, “I am aware of my obligations for reporting allegations of fraud and corruption within the workplace.”
- CMTEDD has a Fraud and Ethical Behaviour e-learning module available for staff to complete.
- 673 staff completed fraud e-learning training between July 2021 and June 2022.
- To date 1,468 CMTEDD staff have completed this training.
- CMTEDD also recommenced targetted face to face training during 2021-22, a total of 162 staff attended.
- The CMTEDD Intranet has a,
 - Conflict of Interest (COI) page which has an accessible copy of the CMTEDD COI Policy, factsheets, advice for managers and instructions to report a COI.
 - Fraud Prevention and PID page which has relevant information in relation fraud prevention, fraud risks and public interest disclosures, advise and factsheets for mangers and staff.

Background Information

- The Plan and Risk Register are externally reviewed every two years through an independent constlant.
- An update to the CMTEDD Fraud and Corruption Plan was endorsed by the DG on 3 August 2021 which included an updated Fraud Risk Assessment.
- An updated Conflict of Interest Policy was endorsed by the DG on 28 July 2021.

SERBIR Awareness Campaigns

August 21

Governance and Probity is important during lockdown

To ensure that we are doing our best for the community we need to continue to maintain good governance and probity.

October 21

A Message from the Senior Executive for Business Integrity Risk (SERBIR)

Integrity is a core value of the ACT Public Service and is included within the Code of Conduct.

October 21

Managing second jobs and other conflicts of interest

The independence and impartiality of the ACT Public Service (ACTPS) and its staff is a fundamental aspect as to how it operates. As public servants, we are required to declare conflicts of interest (actual, perceived/apparent, potential), and take reasonable actions to avoid them.

November 21

Management of Risk in CMTEDD

Effective risk management practices can help achieve our goals.

February 22

Do you understand your fraud or corruption risk in the functions that you support or manage?

All staff are encouraged to understand their obligations and what we can all do to prevent this.

April 22

Are you keeping information secure?

CMTEDD is trusted with sensitive information, both from members of the Canberra community as well as government information.

May 22

Fraud Training

Cleared as complete and accurate:
Cleared by: Kirsten Thompson
Contact officer: David Hart/Janet Kaye

Ext:
Ext:

Does your team understand the fraud or corruption risk in the functions that they support or deliver?

August 22

ACTPS Integrity Framework

The purpose of the ACTPS Integrity Framework is to outline how we as ACTPS employees make decisions, behave appropriately and ensure that the reputation of the ACTPS is maintained.

Portfolio: CMTEDD CORPORATE

TOPIC 8: Work Health and Safety

Key Message:

Note: Does not include injury management.

INFORMATION ON THE COVID – WHS Response – See Brief 14

Key Message:

In 2021-22 we continued to manage the WHS challenges caused by the COVID-19 health emergency and the sustained changes to the way we work. We have continued to address significant work and community health and safety risks while delivering key services to the ACT community and ensuring, so far as reasonably practicable, the health, safety and wellbeing of our workers and members of the community that use our services.

Key Achievements

Staff Survey Results

- Results from the **2022 CMTEDD Staff Survey** show that that CMTEDD has maintained WHS as a key strength. WHS and wellbeing was the top scoring theme in the survey.
- The **ACTPS 2021 Employee Survey** had similar results, with 84% of respondents agreeing that *their workplace takes action to keep them healthy and safe* and that *their supervisor cares about their health and wellbeing* and only 6% of staff disagreeing with either statement.

CMTEDD Mental Health Action Plan

- Implementation of the CMTEDD **Mental Health Action Plan 2021-2023** has been a key focus. As at 01 August, 15 of the 30 actions have been completed, including the establishment of the CMTEDD Mental Health Champions Network.
- The Plan articulates our commitment to creating a mentally healthy workplace, and outlines a vision for a mentally healthy CMTEDD. The action plan is aligned with the themes and objectives of the *ACTPS Healthy Minds - Thriving Workplaces Strategy*.

WHS E-learning

- Three new WHS -Elearnings were launched in 21/22:
 - **Flexible work ergonomics:** This e-learning is designed to help you understand best practice flexible work ergonomics.
N.b. This CMTEDD training package was shared with directorates and agencies across the ACTPS.
 - **How People Safety Works:** This module supports and promotes awareness of PeopleSafety, CMTEDD's WHS Management System.
 - **Occupational Violence eLearning:** This e-learning is designed to increase understanding of occupational violence.

- Additional WHS learning resources will be made available to CMTEDD workers via HRIMS Learning.

WHS Assurance

- CMTEDD have participated in a range of WHS assurance activities, including:
 - **WHOG COVID-19 Assurance Program**
 - **WHOG Tier 2 WHS Audits:**
 - *Consultation, coordination and reporting* (November 2021):
 - *Plant and Equipment* (April 2022)
 - **CMTEDD WHS Assurance Program**
- Audit findings and recommendations for actions are monitored to completion by the Tier 1 WHS Committee, the Executive Management Group, and CMTEDD's Audit and Risk Committee.

CMTEDD Influenza Vaccination Program

- As part of the **CMTEDD Influenza Vaccination Program**, 1254 workers received a flu vaccination onsite, and a further 369 workers with vaccination vouchers to attend offsite clinics.
- The program has been extended this year, to provide additional opportunity for CMTEDD workers to take up this opportunity to receive a free flu vaccination.

Safety and Mental Health Promotion

- CMTEDD promotes National **Safe Work Month** and **Mental Health Month** each October, including holding the annual **CMTEDD Safety Awards** to recognise and reward excellence in health and safety.

Incident reporting

- During 2021-22 FY **728** incidents were reported, a significant increase on the 524 incidents reported in 2020-2021, which can be attributed to reports of COVID-19 workplace exposures.
- 18 incidents were reported to WorkSafe as notifiable.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 9: Workplace Relations Matters (redundancies/excess officers)

Key Message:

CMTEDD had three (3) voluntary redundancies (VRs) in 2021-22.

Key Information

- In all cases, the relevant unions were consulted in accordance with Enterprise Agreements.
- A breakdown of the divisions where VRs were provided is as follows:

Division	Total VRs	Justification
Corporate	2	Changes in the nature, extent and organisation of the functions of CMTEDD resulted in both positions being deemed excess and were subsequently abolished.
DDTS	1	Implementation of new technology resulted in the position being excess to requirements.

Background

- As at 30 June 2022, there was one (1) potentially excess officer in CMTEDD, a reduction from three (3) excess officers at 30 June 2021.
- Section L of the Enterprise Agreements (Redeployment and Redundancy) establishes the process for managing potentially excess and excess officer situations, comprising:
 - Staff and union consultation/communication on the proposed change.
 - Employees who are potentially excess may be offered a voluntary redundancy and reimbursed up to \$1000 to seek financial assistance when making their decision to accept a VR.
 - A redeployment process co-ordinated by Shared Services exists to support redeployment across the ACTPS for those employees who do not accept a VR.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 10: FREEDOM OF INFORMATION (FOI)

Key Message:

The directorate received 412 FOI requests in the period 1 July 2021 to 30 June 2022. The average completion time for all cases is 15.81 working days. This is compared to 15.29 working days in FY2020-21.

The 2021-2022 financial year saw a 57 per cent increase in requests received compared to the previous financial year (262 requests received) and is the highest year on record.

Key Information

Facts and Figures:

- 412 requests have been received:
 - Members of Legislative Assembly (MLA) – 59
 - Media – 12
 - Constituents – 266
 - Law Firms/Interest Groups – 75
- Information held by Access Canberra is most requested, followed by the information held by the Chief Minister's stream:
 - Access Canberra – 123
 - Chief Minister – 120
 - WorkSafe ACT – 54
 - Treasury – 25
- Of the 412 requests received, all but four have been completed.
 - 56 were fully released
 - 92 were partially released
 - 63 were refused access to information
 - 39 were refused access as no information was held by CMTEDD
 - 158 applications were transferred, withdrawn or completed outside of the FOI Act.
- The average completion time for all cases is 15.81 days. This includes cases where third-party consultation was undertaken, or an extension of time was granted. This is a small increase from 15.29 in FY2019-20. The increase is due to the increase in FOI requests.

Ombudsman Review:

- For the year 2021-22, four applicants sought Ombudsman's review of CMTEDD decisions.
 - 1 decision was affirmed by the Ombudsman

Cleared as complete and accurate: 09 August 2022
Cleared by: Al Mclean
Contact officer: Katharine Stuart

Ext:  Sch 2.2(a)(ii)

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

- 1 decision was varied by the Ombudsman
- 2 reviews are yet to be decided.

Open Access Information Scheme

- There were 633 documents made available from the Open Access Website.
- In anticipation of publishing Ministerial briefs (created on or after 1 January 2018) that are five or more years old, in accordance with the Open Access provisions, Part 4 *Freedom of Information Act 2016*, CMTEDD has drafted a policy governing release of these briefs:
 - Collation of briefs for release has already begun.
 - Briefs are proposed to be released on a quarterly basis and will be available from the Open Access portal.

Background Information

Key Cases:

The following matters generated community and media interest:

- Fixed 40-kilometre speed cameras on Northbourne Avenue and surrounds.
- Public safety measures in response to the COVID-19 pandemic.

Fees and Charges

- CMTEDD has not charged any applicants for information requested under the FOI Act during the reporting period. This is consistent with other ACT Government directorates.

BACKPOCKET FOR EGM CORPORATE

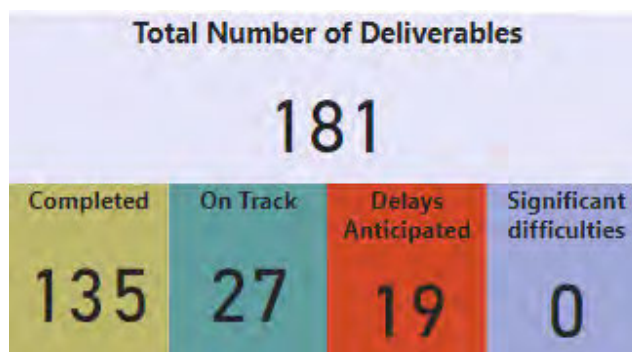
Portfolio: CMTEDD CORPORATE

TOPIC 11: Stretch Reconciliation Action Plan

Key Message:

- The CMTEDD Stretch Reconciliation Action Plan (RAP), 2020-2023 has entered its final year with 74.5% of deliverables completed.

Key Information



Key initiatives delivered under the Stretch RAP to date include:

- Procurement policy changes to increase use of Aboriginal and/or Torres Strait Islander suppliers;
- Creation and progressive implementation of an Employment Action and Retention Plan, that includes additional professional development funding on top of studies assistance; and
- Creation and distribution of a series of videos developed by the Aboriginal and/or Torres Strait Islander Staff Network that explain to CMTEDD staff and raise awareness of Aboriginal and/or Torres Strait Islander days of significance.

Initiatives that will be delivered during the final year of the Stretch RAP include:

- Enhancements to births, deaths, marriage services
- The development, and consultation on, a CMTEDD anti-discrimination policy and cultural learning needs analysis and delivery of further training initiatives additional to what is already in place;
- Continuing to progress the Ngunnawal Language Project and
- Installation of artwork at government buildings.

COVID-19 has played a large part in the majority of the delayed deliverables.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 12: COVID-19 RESPONSE – BUSINESS CONTINUITY

Key Message:

Throughout our response to the COVID-19 pandemic, CMTEDD has continued its commitment to protecting the health and wellbeing of its staff and the community and ensuring that critical and essential government services continue to be provided in a way that supports ACT Public Health Directions.

Key Information

- The impact of the COVID19 pandemic has continued to be monitored and reported on through CMTEDD Business Continuity Situation Reports (currently on a monthly schedule) to the Crisis Management Team (CMT). The CMT has continued to
 - receive business delivery updates from all business areas
 - monitor strategic risks and emerging issues
 - monitor workplace risk exposures and COVID-19 impact of staff absence
- The CMT has been supported through the:
 - Non-Health COVID Response Coordinator Generals Group; and
 - Fortnightly all business area COVID Community Meeting
- To strengthen resilience and build capability across all areas, CMTEDD undertook a scenario planning exercise on significant staff reductions in advance of the projected combined COVID19/Flu session impact. The proactive approach has enabled the directorate to identify critical roles, assess impacts of workforce pressure on service delivery and therefore prioritise key resources.
- Like a lot of areas, businesses and directorates, CMTEDD has experienced pressures associated with the unavailability of staff due to illness or isolation reasons, but has continued to ensure that we have successfully provided continued critical and essential service delivery while transitioning to business as usual and catching up with backlogs.
- Staff continue to be encouraged to work flexibly. Working from home in particular is encouraging the focus on outputs rather than presenteeism.
- Staffing numbers currently in 220 London Circuit are around 400 in total, with CMTEDD numbers representing 150 of the total.
 - All CMTEDD numbers onsite are represented in the graph

Cleared as complete and accurate:

Cleared by:

Contact officer:

Kirsten Thompson

David Hart

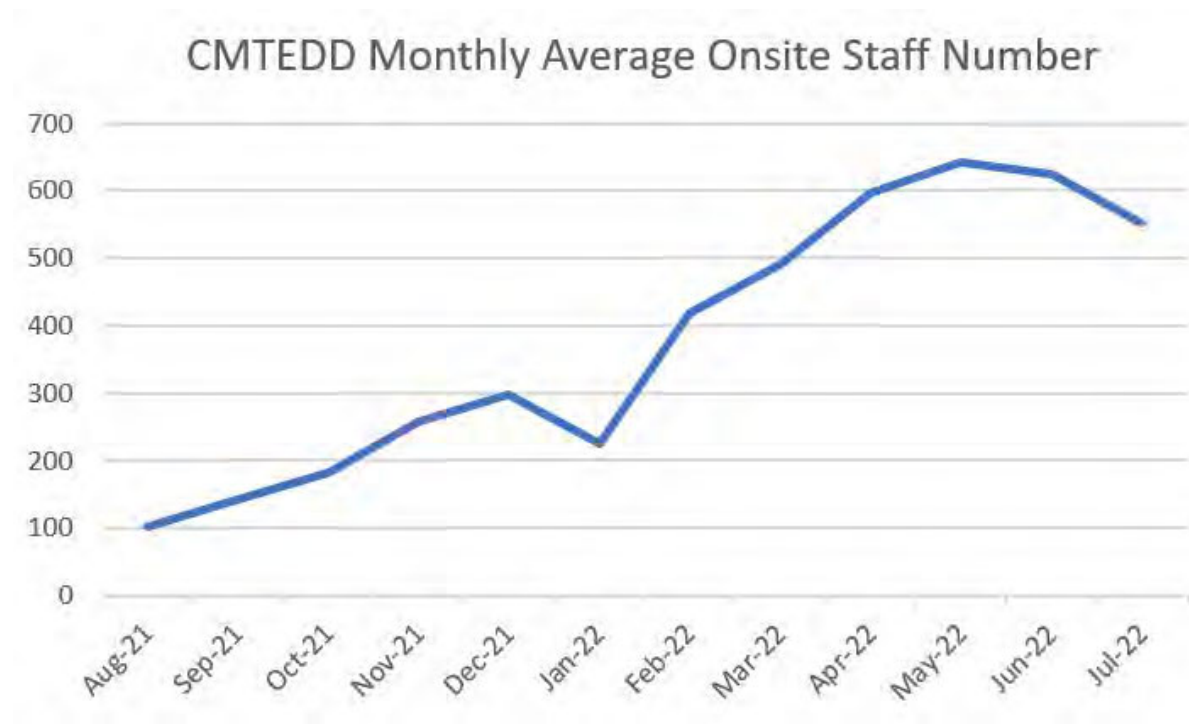
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BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE



Background Information

- The CMTEDD Business Continuity Plan (BCP) has been activated and managed by CMTEDD CMT since 24 March 2020 in response to the COVID-19 Public Health Emergency. A Public Health Emergency Declaration is still in place in the ACT.

Cleared as complete and accurate:

Cleared by:

Contact officer:

Kirsten Thompson

David Hart

Ext: Sch 2.2(a)(ii)

Ext:

TOPIC 13: COVID-19 Response – Work Health and Safety

Key Message:

In 2021-22 we continued to manage the WHS challenges caused by the COVID-19 health emergency and the sustained changes to the way we work. We have continued to address significant work and community health and safety risks while delivering key services to the ACT community and ensuring, so far as reasonably practicable, the health, safety and wellbeing of our workers and members of the community that use our services.

Key Information

- CMTEDD workplaces remain open to staff and the Community to attend with WHS controls in place, including the continued requirement to use a face mask when attending the workplace.
- **Working from home, and hybrid working arrangements**, remain important higher-order WHS controls to reduce the risk of exposure and transmission of COVID-19, and other transmissible diseases, such as influenza, in our workplaces.
- Throughout the COVID-19 Health Emergency we have promoted our WHS Management System, **PeopleSafety**, as the established arrangements for the management of COVID-19 related WHS hazards and risks, and continued to engage and consult with our workers, their Health and Safety Representatives and unions in identifying and developing COVID-19 controls, including changes to work arrangements and implementation of hybrid working.
- CMTEDD have promoted reporting of workplace exposures to COVID-19, including developing guidance to support consistent reporting, and guide appropriate action to respond to instances of COVID-19 in the workplace.
- In the 21/22 FY 258 individual incidents related to COVID-19 in the workplace have been reported in RiskMan.
- Our dedicated COVID-19 Intranet Page provides workers access to timely and relevant information regarding public health directions and COVID Safe arrangements and resources within the directorate.
- CMTEDD has continued to highlight the importance of **mental health and wellbeing** throughout the health emergency. A wide range of mental health and wellbeing promotions and supports have been rolled out continuously since the onset of the pandemic to support our staff and managers.
- CMTEDD developed a **Mental Health Action Plan**, and established a *Mental Health Champions Network*, to facilitate engagement on health and wellbeing, and enable

interested workers to directly support and inform the implementation of initiatives under the CMTEDD Mental Health Action Plan.

- A range of supports to identify and manage psychosocial hazards associated with the COVID-19 health emergency have been developed and implemented. This includes accounting for increased risk of occupational violence, ensuring workers feel supported when working remotely, and promoting the active management of fatigue and workload associated with rapid response and delivery of government commitments.
- Risk management arrangements have been regularly reviewed to identify and implement controls in the workplace to reduce the risk of exposure to, and transmission of COVID-19, and ensure the health and safety of workers, clients, visitors and others.
- Individual workplaces have developed COVID-Safe plans, setting out requirements and arrangements in place to ensure the ongoing safety of services accessed and delivered to the ACT Community. This has included the use of the extensive signage in our building to promote physical distancing, personal hygiene, and local COVID-safe arrangements.
- Implementation, and compliance with COVID-19 WHS requirements is assessed as part of the annual CMTEDD WHS Assurance Program.
- The WHOG COVID-19 Assurance Program found CMTEDD has implemented a comprehensive approach to meet the requirements of the ACTPS COVID-19 Transition Plan Policy.
- Results from the **2022 CMTEDD Staff Survey** indicate that CMTEDD has maintained WHS as a key strength. The question of *I feel supported by CMTEDD during COVID-19 in respect to my mental health and wellbeing* was rated as 82% positive.

BUDGET ESTIMATES BACKPOCKET FOR EGM CORPORATE

Portfolio: CMTEDD CORPORATE

TOPIC 14: Procurement

Key Message:

CMTEDD endeavours to ensure that all procurement activity represents value for money and has regard to probity and ethical behaviour, management of risk, open and effective competition, and optimises whole of life costs.

Key Information

- CMTEDD actively promotes and explains requirements of the Procurement Act to executive and staff. This includes, but not limited to:
 - Presentations to executive on findings from audit reviews, such as the ACT Audit Office - PROCUREMENT EXEMPTIONS AND VALUE FOR MONEY REPORT NO. 7 / 2021
 - Internal newsletter articles on obligations, and information on the intranet
 - Participation in the Whole of Government Procurement Community of Practice group
 - Procurement ACT all staff messages
- CMTEDD assesses compliance through its own Audit Program and assurance reviews. While there are always opportunities to improve, no areas of concern or systematic error has been found. Upcoming focus areas for communication with staff include:
 - Ensuring that contracts are notified on the contracts register within required timeframes
 - Reminders that delegates need to have the opportunity to re-assess value for money if scope changes, not just as a result of a financial change
 - The benefit of earlier notification to executive of intentions to procure large value goods or services
 - Better records management
 - The availability of training provided by Procurement ACT

Background Information

- CMTEDD provides updated information through dedicated staff intranet pages for Procurement and Aboriginal and Torres Strait Islander Procurement.
- A suite of training has been developed by Procurement ACT that staff are encouraged to undertake. This can be found on the ACTGovLearn website.

Cleared as complete and accurate:
Cleared by: Kirsten Thompson
Contact officer: David Hart

Ext:
Ext:


2022-23 New Budget Initiatives

Output Class 1: Government Strategy

Output 1.2: Workforce Capability and Governance

Andrew Barr (Chief Minister)

2022-23 Budget Outlook (Extract from Budget Papers)

Investing in public services – Supporting the ACT Ombudsman					
	2022-23	2023-24	2024-25	2025-26	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	1,004	1,027	1,083	1,107	4,221
Net cost of services	1,004	1,027	1,083	1,107	4,221

The Government will provide additional funding to support the continuation of services provided by the ACT Ombudsman including investigations of complaints against ACT Government agencies and ACT Policing, the Reportable Conduct Scheme, the Freedom of Information Scheme, the Judicial Council function and the Inspector of the ACT Integrity Commission.

This initiative contributes to the wellbeing domain of Governance and institutions.

Additional Information

Staffing: Nil.

Expenditure: This funding is to address shortfalls between existing funding levels and the actual funding required by the ACT Ombudsman to perform their functions. This shortfall has been caused by an increase in ACT Ombudsman FTE levels and additional activity costs for certain functions.

The total funding of \$4.221 million over four years covers the existing services agreement with the ACT Ombudsman, providing certainty across this contract term.

Further Information: Taking into account the new funding described above, the total funding being provided to the ACT Ombudsman in 2022-23 is as per the following table.

ACT Ombudsman Funding by Function	2022-23 Budget \$'000
Ombudsman/ACT Policing	1,924
Reportable Conduct Scheme	1,093
Judicial Council	91
Freedom of Information Scheme	600
Inspector of the ACT Integrity Commission	217
Total Ombudsman Funding	3,925

Estimated Timing: Funding has been provided for four years.

Portfolio/s: Chief Minister
 Chief Minister

ACT Public Service Workforce - Diversity and Inclusion

Talking points:

- The funding supports ACTPS workforce initiatives to deliver:
 - A range of Diversity and Inclusion programs within the ACT Public Service
 - Achieve Government's priority of being a progressive and inclusive organisation that truly reflect the community it serves
- Funding offset from existing directorate appropriation

Key Information

Diversity & Inclusion	Expenses (\$000)	2022-23	2023-24	2024-25	2025-26	Total
	Employee Expenses \$	584	592	600	608	2,385
	Program costs \$	194	240	263	285	981
	Total	778	832	863	893	3366
	Offset %- Directorate Contributions	100%	100%	100%	100%	100%
	Net Operating Impact	0	0	0	0	0
	FTE	3.5	3.5	3.5	3.5	

- Funding of \$3.366 million over four years (indexed and ongoing) from 2022-23
- Fully offset from directorates base appropriation based on FTE
- \$2.386 million over four years for staffing cost
 - SOGA: 0.5
 - 1x SOGB
 - 1x SOGC
 - 1x ASO6
- \$980,000 over four years to deliver new programs

Background Information

- The government has a stated aim to be the most progressive and inclusive jurisdiction in Australia. D&I agenda for the ACTPS workforce is articulated in the RED Framework, which is now eleven years old.
- Extensive research undertaken across the ACTPS in 2021 showed that although D&I activity across the ACTPS is high in volume; it tends to be disconnected, stop-start, and under-evaluated.
- The initiative is a way forward which is more cohesive, strategically connected, and purposeful, augmenting existing limited whole of government D&I initiatives delivered by WCAG, to provide high-impact, sustainable cultural transformation.

- Evidence indicates the need for change at a systemic level in the way the ACTPS approaches D&I. In 2021, WCAG gathered key evidence on the current state of ACTPS Workforce D&I through the ACTPS Employee Survey (August 2021) and the Beyond RED Review (February – November 2021)
- The ACTPS currently holds an extensive and high-profile list of Government commitments and strategies that focus on ACTPS workforce D&I. These commitments are expected to increase as community standards and expectations continue to mature, heightening calls on Government to deliver inclusive services; and the ACTPS to be an exemplary employer.


2022-23 New Budget Initiatives

Output Class 1: Government Strategy

Output 1.1: Workforce Capability and Governance

Andrew Barr (Chief Minister)

2022-23 Budget Outlook (Extract from Budget Papers)

Supporting social inclusion – ACT Public Service Workforce Diversity and Inclusion					 Identity and belonging
	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	Total \$'000
Expenses	778	832	863	893	3,366
Offset – Expenses	-778	-832	-863	-893	-3,366
Net cost of services	0	0	0	0	0

The Government will deliver a range of diversity and inclusion programs within the ACT Public Service to ensure the service continues to be progressive and inclusive. The costs of these programs will be fully offset from directorates' existing funding.

This initiative contributes to the wellbeing domains of Identity and belonging and Governance and institutions.

Additional Information

Staffing: The initiative provides for 3.5 ongoing FTE positions (0.5 x SOG A, 1 x SOG B, 1 x SOG C and 1 x ASO6).

Expenditure: Total expenses of \$3.366 million over four years is broken down as follows.

- \$2.386 million (staffing costs – as outlined above).
- \$980,000 to deliver new programs to address recognised barriers to employment and implement diversity and inclusion programs over a range of diversity domains. This would include an ACTPS Neurodiversity Program every other calendar year (2023, 2025, 2027 etc.)

Further Information: The initiative is fully offset through contributions from directorates, with these contributions based on FTE count.

Estimated Timing: Funding is ongoing.

Portfolio/s: Chief Minister
 Chief Minister

Flexible Work Program – Hub and Spoke Operationalisation

Talking points:

- The funding will support the extension of the Flexible Work Program
- The program will better utilise existing office space and embed contemporary work practices across the ACTPS and reduce long-term growth-related costs.
- The program will allow ACTPS employees to commute to a flexi hub located in their nearest town centre and includes:
 - Transition Winyu House to a flexible work environment
 - Innovation Centre at Nara
 - Flexible workspaces at Scollay St, Tuggeranong and Nature Conservation House, Belconnen
 - Media Centre at Allara St Civic
- Builds on the funding provided for flexi hubs in Tuggeranong and Belconnen through the 2021-22 Budget initiative *Improving and upgrading government accommodation*.

Key Information

('000)		2022-23	2023-24	2024-25	2025-26	Total
FWA	Capital \$	2446	2946	-	-	5392
	Expense \$ (fully Offset)	2230	2641	1225	1231	7327
	FTE	11.8	12.3	3	3	

Winyu House

FTE 2022-23: 4.3 (2023-24: 5.8)

- 0.8 x SOGB
- 0.8 x SOGC
- 0.3 x ASO6
- 1.7 x ASO5
- 0.7 x ASO4

Concierge and Building Services Team (Support Model)

FTE 2022-23: 4.5 (2023-24: 3.5; 2024-2025:3.0; 2025-26: 3.0)

- 1 x SOGC
- 1.5 x ASO6
- 1 x ASO5
- 1 x ASO4

Flexible Work Arrangements

- 2022-23: **3.0** (2023-24: 3)
 - 1 x SOGA
 - 1 x SOGB
 - 1 x SOGC
-
- Recurrent Expenses - Fully offset - by reduction in base funding allocations of directorates

Background Information

- The ACT Government has a stated aspiration to become the most progressive jurisdiction in Australia for flexible work arrangements. It has made significant investment in the future of work and flexible working arrangements over the past few years.
- The *Hub and Spoke Workplace Strategy* has been a phased approach to transitioning office-based workers to new ways of working.
 - Phase-1 was the transition of over 3,000 employees to flexible working in the new office Hubs at Dickson office Building and City office Building
 - Phase-2 was funded in the 2021/22 Budget and involves the creation of two flexi hubs in Tuggeranong and Belconnen, a new Innovation Centre and flexi space in the Canberra Nara Centre, and new family-friendly workspace in the 220 London Circuit building's mezzanine floor.
 - Phase-3 was outlined in the 2021/22 Budget Business Case, and noted that an additional Budget Business Case would be brought forward in 2022/23 to support its implementation. This funding presents that third phase.
- The flexi-offices in Tuggeranong and Belconnen are currently progressing through the final design and tender phases ahead of refurbishments works, and are anticipated to go live in Q2 2022/23.
- As we continue our transition from full time work-from-home to genuine hybrid work, we expect that the 8:10 ratio anticipated prior to 2020 will comfortably contain our current workforce. But as the ACTPS evolves to meet growing community, social, and economic challenges, our workforce will continue to expand. By creating the sort of flexibility that interconnects eight office campuses and normalises hybrid work now, we can avoid significant costs for new office space to accommodate growth into the future.
- Centralised operational support for this campus model will ensure the efficient operation of all eight workspaces, noting that no individual directorate would otherwise have ownership or responsibility for managing and maintaining flexi spaces. The two flexi hubs in Tuggeranong and Belconnen, the new Innovation Centre and flexi space in the Canberra Nara Centre, and the new family-friendly workspace in 220 London Circuit will be available for use by all ACTPS employees regardless of Directorate, but are not currently owned or managed by any directorate.


2022-23 New Budget Initiatives

Output Class 1: Government Strategy

Output 1.2: Workforce Capability and Governance and Output 1.3 Coordinated Communications and Community Engagement

Andrew Barr (Chief Minister)

2022-23 Budget Outlook (Extract from Budget Papers)

Investing in public services – Improving ACT Public Service flexibility					
	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	Total \$'000
Capital	2,544	3,064	0	0	5,608
Net capital	2,544	3,064	0	0	5,608
Depreciation	0	0	374	374	748
Expenses	5,400	4,937	3,050	2,668	16,055
Offset – Expenses	-4,382	-4,937	-3,050	-2,668	-15,037
Net cost of services	1,018	0	374	374	1,766

The Government will continue the Flexible Work Program and refurbish existing office space in Gungahlin to create flexi hubs to support new ways of working, building on the funding provided for flexi hubs in Tuggeranong and Belconnen through the 2021-22 Budget initiative *Improving and upgrading government accommodation*. This program will allow ACT Public Service employees to commute to a flexi hub located in their nearest town centre and will be partially offset through contributions from directorates.

The Government will also improve the digital experience through a consolidation and redevelopment of ACT Government websites.

This initiative contributes to the wellbeing domains of Access and connectivity, Time, Health and Economy.

Additional Information

Note: This initiative description combines two CMTEDD initiatives agreed as part of the 2022-23 Budget process. Due to the detail required to adequately explain these items, they will be considered separately in the sections below.

One Government, One Voice

This initiative is about ensuring the ACT Government is continuing to keep pace with the community's expectations and information needs by modernising our communications and engagement capability and practices.

Staffing: This initiative provides for two SOG C positions (one ongoing, one for two years).

Expenditure: Expense funding of \$7.711 million has been provided over four years. This is broken down as follows.

- \$4.629 million (indexed and ongoing) to establish a new approach to resourcing and prioritising of communication and engagement activities. This will ensure more effective and impactful public information campaigns that are adequately funded and better

2022-23 New Budget Initiatives

coordinated across government. An ongoing SOG C officer will also enhance research capacity to support these activities and ensure ACT Government communications are appropriately targeted and effective.

- \$2.785 million to improve the digital experience for the community through the redevelopment and consolidation of ACT Government websites and social media channels.
- \$0.297 million over 2 years for a non-ongoing SOG C officer to manage strategic direction, oversight and implementation of the ACT Government's whole of government infrastructure campaign.

Further Information: The entire cost of this initiative has been offset by Directorate contributions (based on FTE count).

Estimated Timing: As per the details above, some elements are ongoing whilst some are fixed.

Flexible Work Program – Hub and Spoke Operationalisation

Staffing: Please refer to the expenditure section below.

Expenditure: Funding for \$8.344 million in expenses and \$5.608 million in capital has been provided over 4 years (with some elements ongoing). This is broken down as follows.

- \$1.148 million in expense funding over four years (indexed and ongoing) and \$5.288 million in capital over 2022-23 and 2023-24 to convert Winyu House to a flexible Activity Based Work (ABW) environment.
- \$1.412 million in expense funding for 4.3 full-time equivalent (FTE) positions in 2022-23 and 5.8 FTE positions in 2023-24 to support the transition of approximately 700 staff within CMTEDD currently working at Winyu House to ABW.
- \$3.620 million in expense funding over four years (indexed and ongoing) and \$190,000 in capital funding in 2022-23 to establish and maintain a Hub and Spoke operational support team (4.5 FTE in 2022-23, 3.5 FTE in 2023-24 and 3 FTE ongoing beyond that), responsible for the management of the eight Hub and Spoke sites.
- \$1.114 million in expense funding for 3 FTE positions over two years from 2022-23 to extend funding for the flexible working arrangements team to support the delivery of the Tuggeranong and Belconnen flexi offices, an innovation centre, opening flexi spaces at 220LC, 480 Northbourne Avenue and the Cosmopolitan Building, as well as managing the capital upgrades at Winyu House.
- \$1.018 million in expense funding for ACT Property Group for rental costs at Nature Conservation House Belconnen and Scollay Street Tuggeranong until an ongoing strategy for lease costs at Hub and Spoke sites is finalised.
- \$32,000 in expense funding and \$130,000 in capital funding in 2022-23 over four years from 2022-23 (indexed and ongoing) for the installation of sufficient fit-for-purpose collaboration technologies.

All costs, with the exception of the ACT Property Group rental costs, are fully offset by Directorate contributions (costs associated with Winyu house are offset by CMTEDD only,

2022-23 New Budget Initiatives

with other costs apportioned across Directorates, based on the FTE expected to use these spaces).

Further Information: A business case is expected to come forward as part of the 2022-23 Budget Review with a strategy outlining how rental expenses could be apportioned across Directorates/agencies, including an option to centrally appropriate funding for all expenses for these sites to ACT Property Group.

Estimated Timing: As per the details above.

Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

Office of Industrial Relations and Workforce Strategy

Talking points:

- Government has agreed to fund the proposal of a staged establishment of the office of Industrial Relations and workforce Strategy which will consolidate and strengthen the management of industrial relations across the ACT Public Service.
- The Office would consolidate, enhance, and deliver scaled up services currently delivered by WCAG and WSIR. The funding sought via this Business Case would allow WCAG to deliver a single focus peak industrial relations and work, health, and safety service on behalf of Government.
- Costs will be partially offset through contributions from directorates.
- An implementation review will be conducted once the Office is fully operational to determine ongoing resourcing needs from 2024-25 and will include a more comprehensive understanding of demand for office's services across the Service.
- Treasury has recommended to come back in the 2024-25 budget process after an implementation review is completed to inform future resourcing needs.

Key Information

- \$2.063 million in funding over two years 2022-23 (pro-rated) and 2023-24
- 4.2 FTE for 2022-23 (pro-rated) and 7 FTE for 2023-24
 - 1 x SOGA
 - 4 x SOGB
 - 2 x SOGC
- \$3.423 million in provisioned expense funding over 2024-25 and 2025-26 (indexed and ongoing)

Funding Table

('000)		2022-23	2023-24	2024-25	2025-26	Total
	\$	767	1296	1700	1723	5486
	Offset - Directorate Contributions	335	759	1090	1331	3515
	Offset %	44%	59%	64%	77%	64%
	Net Operating Impact	-432	-537	-610	-392	-1971
	FTE	4.2	7	9	9	29.2

Background Information

- The bringing together of the Workplace Safety and Industrial Relations and Workforce Capability and Governance Groups in 2021 into one new Group responsible for strategic workforce and industrial relations matters was a successful first step in developing greater consistency of application and messaging of Industrial Relations, Workplace Health and Safety and Human Resources policy across the ACTPS.
- ACTPS work arrangements are changing rapidly. This is due to emerging issues including factors such as the COVID pandemic and response, growth in the size and diversity of the workforce and the transition to hybrid work arrangements. These trends are expected to continue, necessitating further changes to working arrangements and environments.
- These dynamic arrangements have put pressure on the ACTPS workplace relations system and its supporting infrastructure, exposing structural vulnerabilities that have existed and remained unresolved for many years.
- This pressure has manifested in increases in directorate disputation, difficulties supporting workforce agility, increasing calls for detailed and definitive whole of government workplace relations policies and guidance and for assistance interpreting and applying these in a diversity of challenging public sector workplaces.
- The creation and resourcing of the Office will assist in resolving these issues and support a more productive and efficient ACTPS ensuring the ACTPS workforce has the right knowledge, skills and capabilities, and a workplace culture that is flexible, responsive, and adaptive.
- An Office of Industrial Relations and Workforce Strategy will provide a formalised structure to lead the ACTPS industrial and workforce agenda into the future. The Office will provide greater support to Directorates working through complex industrial matters, dispute resolution and to ensure the consistent application of the ACTPS Employment Framework.
- It will also provide for a centralised area within the ACTPS to provide consistent interpretation, consultation, alternative dispute resolution and the authority to implement whole of government policy and arbitrate disputes.
- Through establishing the Office, the ACTPS is provided with the opportunity to develop and consolidate high-level expertise in industrial relations, work health and safety, workforce strategy and organisational behaviour into a single strategic area. This will provide a unique opportunity to shape the culture and practice of the ACTPS.

2022-23 New Budget Initiatives

Output Class 1: Government Strategy

Output 1.2 Workforce Capability and Governance & Output 1.6 Workforce Injury Management and Industrial Relations Policy

Andrew Barr (Chief Minister) &

Mick Gentleman (Minister for Industrial Relations and Workplace Safety)

2022-23 Budget Outlook (Extract from Budget Papers)

Investing in public services – Establishment of the Office of Industrial Relations and Workforce Strategy		 Governance & Institutions			
	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	Total \$'000
Expenses	1,321	1,296	0	0	2,617
Expenses – Provision	0	0	1,700	1,723	3,423
Offset – Expenses	-335	-759	0	0	-1,094
Offset – Expenses – Provision	0	0	-1,090	-1,331	-2,421
Net cost of services	986	537	610	392	2,525

The Government will establish an Office of Industrial Relations and Workforce Strategy to consolidate and strengthen the management of industrial relations across the ACT Public Service. A review will be conducted once the Office is fully operational to determine ongoing resourcing needs from 2024-25. The costs will be partially offset through contributions from directorates.

The Government will also continue to promote job security and permanency where possible through the establishment and operation of a Secure Employment Framework.

This initiative contributes to the wellbeing domains of Governance and institutions and Economy.

Additional Information

Staffing: This initiative provides for the following staffing.

- Seven FTE positions for the Office of Industrial Relations, including one SOG A, four SOG B positions and two SOG C positions.
- Three FTE positions to assist in the design and development of the Secure Employment Framework, including one SOG A, one SOG B and one SOG C.

Expenditure: The \$2.617 million in expense funding is broken down as follows.

- \$2.063 million over two years for staffing associated with the establishment of the Office of Industrial Relations.
- \$554,000 in 2022-23 for the staffing associated with the Secure Employment Framework.

Further Information and Estimated Timing: Further funding for the Office of Industrial Relations has been provisioned in 2024-25 and 2025-26, subject to an implementation review and future business case. A future business case is also expected for the ongoing resource requirements to operationalise the Secure Employment Framework.

Portfolio/s: Industrial Relations and Workplace Safety

Industrial Relations and Workplace Safety

Secure Employment Framework

Talking points

- Funding supports the establishment and operation of the Secure Employment Framework.
- The Secure Employment Framework will implement Government's Parliamentary and Governing Agreement (PAGA) commitments through:
 - implementation and operation of the Insourcing Framework; and
 - operation of the Secure Workforce Conversion process.
- This initiative implements a whole of government policy that:
 - government services will not be contracted out where they could be performed by public servants (PAGA Appendix 2, Agreed Executive Reform 1); and
 - Government will legislate to prevent the outsourcing or privatisation of public sector jobs (PAGA Appendix 2, Agreed Legislative Reform 6).

Key Information

- Funding of **\$554,000** approved for FY 2022-23.
- Funding will support expense of 3 FTE to assist in design and development of Secure employment Framework **Sch 2.2(a)(xvi)**
Sch 2.2(a)(xvi)
 - 1xSOGA
 - 1xSOGB
 - 1xSOGC

Sch 2.2(a)(xvi)

Background Information

- The Framework will evaluate whether services or works required by a public sector entity should be provided by the public sector or an external provider and continue the Secure Workforce Conversion process.
- The initiative builds on the work of the Insecure Work Taskforce and the Government's commitment to the development of an insourcing framework.
- The ACT Government is committed to providing secure and, where possible, ongoing employment and notes the adverse social and financial effects that insecure work has on

working people and their families. At the start of this term, the Government committed to:

- maintaining the size of the public service,
 - ensuring that public money is used to promote safe and fair employment,
 - promoting insourcing, so that work that could be done by public servants is not outsourced.
- The Insourcing Framework and Secure Workforce Conversion process provide the basis for the ACTPS to ensure that it delivers the Government's strong commitment to secure jobs through meaningful action. The focus on delivering insourced, permanent employment also delivers on the Government's commitment to providing certainty in uncertain times.

Portfolio/s: Industrial Relations and Workplace Safety

2022-23 Budget – Injury Management Finalisation of Cost Recovery
Talking points:

- The 2022-23 Budget includes an initiative to fund the delivery of rehabilitation services for injured and ill ACTPS employees.
- The service in question is already in place and operating.
- It has historically been funded by way of cost recovery from the ACT Government agencies that receive the services.
- Under the new arrangement, costs of approximately \$4 million per annum will be appropriated.
- The costs will be fully offset by a dollar for dollar reduction in annual cost recoveries.

Background Information

- Extract from Budget papers:

	2022-23	2023-24	2024-25	2025-26	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	3,948	4,037	4,127	4,219	16,331
Offset – Expenses	-3,948	-4,037	-4,127	-4,219	-16,331
Net cost of services	0	0	0	0	0

The Government will improve the efficiency in providing return-to-work support for injured and ill ACT public servants by directly funding the workforce injury management function rather than funding it through cost recovery arrangements between directorates. The cost will be fully offset from directorates' existing funding.

This initiative contributes to the wellbeing domains of Governance and institutions and Health.


2022-23 New Budget Initiatives

Output Class 1: Government Strategy

Output 1.2: Workforce Capability and Governance

Mick Gentleman (Minister for Industrial Relations and Workplace Safety)

2022-23 Budget Outlook (Extract from Budget Papers)

Investing in public services – A new funding model for injury management		 Governance & Institutions			
	2022-23	2023-24	2024-25	2025-26	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	3,948	4,037	4,127	4,219	16,331
Offset – Expenses	-3,948	-4,037	-4,127	-4,219	-16,331
Net cost of services	0	0	0	0	0

The Government will improve return-to-work service efficiency for injured and ill ACT public servants by directly funding workforce injury management functions, rather than funding them through cross directorate cost recovery. The cost will be fully offset from directorates' existing funding.

This initiative contributes to the wellbeing domains of Governance and institutions and Health.

Additional Information

Staffing: Nil staffing impact.

Expenditure: The \$16.331 million in funding over four years from 2022-23 (indexed and ongoing) is to directly appropriated to CMTEDD for the Injury Management function. This terminates previous cost recovery arrangements where CMTEDD would bill other areas internal to the ACT Government, thereby saving time and increasing efficiency.

Further Information: The proposal is fully offset through existing funding (i.e. the base funding Directorates previously had to pay their associated invoices).

Estimated Timing: This new funding arrangement is ongoing.

Portfolio/s: Chief Minister

Output 1.2 – Variance to Targets

Talking points:

- Output class 1.2 describes the activities of Workforce Capability and Governance.
- There are eight accountability indicators attached to the Output Class, seven of which were met or exceeded in 2021-22. One accountability indicator was partially met.
- Indicator 1.2e relates to support provided to the Workforce Transformation Program. Two deliverables were identified in 2021-22 – the introduction of wayfinding technology at 480 Northbourne Avenue and 220 London Circuit and the creation of flexi working hubs in Belconnen and Tuggeranong.
- The introduction of wayfinding technology was delivered as planned in 2021-22. However, the creation of flexi working hubs in Belconnen and Tuggeranong were delayed. The delay was due to complexities in preparing design documentation and tender materials and the transition of project management responsibility to a different area of government.
- The creation of the flexi working hubs in Belconnen and Tuggeranong is on track to be delivered in 2022-23.

Background Information

Accountability Indicators	2021-22 Targets	2021-22 Result	Variance (%)
a. ACTPS Graduate Program positively impacts on business area outcomes and objectives	75%	89%	19
b. Publish the State of the Service Report	Dec 2021	Dec 2021	
c. Deliver ACTPS Leadership and Development programs	2	2	0
d. Conduct vocational employment programs	85%	92%	8
e. Support the Workforce Transformation program	2	1	(50)
f. Approval of Enterprise Agreements	1	1	
g. Issue SLJC Certificates within 5 working days of receipt of complete and correct audit report	85%	90%	16
h. Conduct SLJC Training sessions for industry and ACT Government	24	43	108

Output 1.2: Workforce Capability and Governance

Budget Statement B Page: 23	2021-22 Original Budget \$'000	2020-21 Estimated Outcome \$'000	2022-23 Budget \$'000
Total Cost	16 957	17 705	22 536
Variance \$		748	4 831
Variance %		4%	27%
Controlled Recurrent Payments	15 093	14 842	20 166
Variance \$		(251)	5 324
Variance %		(2%)	36%

Reconciliations

Total Cost

1. The increase of \$0.748 million in total costs from the 2021-22 Budget to the estimated outcome is mainly due to higher expenditure associated with Whole-of-Service SES Leadership and Talent Development (\$0.665 million), which was recovered from other directorates, and a change in the notional allocation of corporate overhead across the Directorate. This is partially offset by the deferral of expenditure from 2021-22 to 2022-23 and forward years for initiatives, including *Improving and Upgrading government accommodation* (\$0.290 million) and *Youth Support Package* (\$0.139 million).
2. The increase of \$4.831 million in total costs from the 2021-22 estimated outcome to the 2022-23 Budget is mainly due to:
 - the introduction of new initiatives (\$4.566 million), including:
 - *Investing in public services – Improving ACT Public Service flexibility* (\$2.230 million);
 - *Supporting the ACT Ombudsman* (\$1.004 million);
 - *Supporting social inclusion – ACT Public Service Workforce Diversity and Inclusion* (\$0.778 million); and
 - *Investing in public services – Establishment of the Office of Industrial Relations and Workforce Strategy* (\$0.554 million);
 - the impact of a deferral of expenditure from 2021-22 to 2022-23 and forward years for initiatives, including *Improving and Upgrading government accommodation* and *Youth Support Package*.

This is partially offset by the impact of implementing the Whole-of-Service SES Leadership and Talent Development program in 2021-22 (\$0.665 million)

Controlled Recurrent Payments

3. The decrease of \$0.251 million in controlled recurrent payments from the 2021-22 Budget to the estimated outcome is mainly due to deferral of expenditure from 2021-22 to 2022-23 for initiatives, including *Improving and Upgrading government accommodation* (\$0.290 million) and *Youth Support Package* (\$0.139 million). This is partially offset by a change in the notional allocation of corporate overhead across the Directorate.
4. The increase of \$5.324 million in controlled recurrent payments from the 2021-22 estimated outcome to the 2021-23 Budget is mainly due to:
 - the introduction of new initiatives (\$4.524 million), including:
 - *Investing in public services – Improving ACT Public Service flexibility* (\$2.203 million);
 - *Supporting the ACT Ombudsman* (\$1.004 million);
 - *Supporting social inclusion – ACT Public Service Workforce Diversity and Inclusion* (\$0.770 million); and
 - *Investing in public services – Establishment of the Office of Industrial Relations and Workforce Strategy* (\$0.547 million); and
 - the impact of a rollover of funding from 2021-22 to 2022-23 and forward years for initiatives, including *Improving and Upgrading government accommodation* and *Youth Support Package*.

Portfolio/s: Industrial Relations and Workplace Safety

Output 1.6 – Variance to Targets

Talking points:

- Output class 1.6 describes the activities of the Workplace Safety and Industrial Relations Group.
- There are four accountability indicators attached to the Output Class, all of which were met or exceeded in 2021-22, with the exertion of Accountability Indicator A.
- Indicator 1.6a requires that the report of the annual actuarial review of the ACT workers' compensation scheme is submitted to the portfolio Minister by April each year, prior to public release.
- In 2021-22, the report was submitted one day late, on 1 May 2022.
- The delay arose because the time taken to complete the actuarial review was lengthened to allow closer consideration of the impact of COVID-19 on the Scheme's performance.
- The report has subsequently been published and is available on the CMTEDD website.

Background Information

- The report of the actuarial review of the workers compensation scheme is produced by an independent consulting actuary and is an important input to insurer premium pricing and scheme performance monitoring.
- An accompanying document, the schedule of estimated reasonable premium rates, is also produced as part of the review. The document promotes price competition between insurers by sharing information about average premium costs by industry sector.

Output 1.6: Workforce Injury Management and Industrial Relations Policy

Budget Statement B Page: 27	2021-22 Original Budget \$'000	2021-22 Estimated Outcome \$'000	2022-23 Budget \$'000
Total Cost	13 564	17 655	15 631
Variance \$		4 091	-2 024
Variance %		30%	-11%
Controlled Recurrent Payments	9 191	12 912	14 727
Variance \$		3 721	1 815
Variance %		40%	14%

Reconciliations

Total Cost

1. The increase of \$4.091 million in total costs from the 2021-22 Budget to the estimated outcome is mainly due to the introduction of the *Asbestos Disease Support Scheme* initiative (\$3.572 million) in the 2021-22 Budget Review, partially offset by a change in the notional allocation of corporate overhead across the Directorate.
2. The decrease of \$2.024 million in total costs from the 2021-22 estimated outcome to the 2022-23 Budget is mainly due to a reduction in the annual expenditure profile associated with the, *Asbestos Disease Support Scheme* initiative (\$2.351 million).

Controlled Recurrent Payments

3. The increase of \$3.721 million in controlled recurrent payments from the 2021-22 Budget to the estimated outcome is mainly due to the introduction of the 2021-22 Budget Review initiative *Asbestos Disease Support Scheme* (\$3.570 million).
4. The increase of \$1.815 million in controlled recurrent payments from the 2021-22 estimated outcome to the 2022-23 Budget is mainly due to the the introduction of the *Investing in public services – A new funding model for injury management* initiative (\$3.945 million); partially offset by a reduction in the annual funding profile associated with the *Asbestos Disease Support Scheme* initiative (\$2.350 million).

Portfolio/s: Industrial Relations and Workplace Safety

PSWCF Output – Variance to Targets

Talking points:

- The Public Sector Workers Compensation Fund annexure to the CMTEDD annual report describes the operations of the ACT Government’s workers compensation self-insurer.
- Output KPIs focus on areas of performance such as the self-insurer’s financial position, the quality of its claim and rehabilitation management infrastructure and the number of workers’ compensation claims experienced.
- The 2021-22 annual report indicates that targets were achieved against all of the indicators except for one. This was output indicator 1.1a.
- The indicator in question measures the number of work related injuries and diseases that resulted in the affected person being unfit for their usual duties for one week or more. To account for changes in the size of the workforce, the number is expressed as a rate per 1,000 employees.
- The indicator target is based on a similar measure and target from the Australian Work Health and Safety Strategy, which calls for a reduction of 30 per cent in those types of injuries over a ten year period to 2022.
- During 2021-22, the number of serious injuries experienced was seven per cent higher than target. Significantly, during the year there had been an increase in claims from frontline workforces that were placed under significant pressure from the COVID-19 pandemic.
- The Government has invested in a range of initiatives to improve injury prevention and safety arrangements, including a comprehensive audit program and early intervention injury management services (refer note 40 for more details).

Portfolio/s: Chief Minister & Industrial Relations and Workplace Safety

STAFFING WCAG WSIR

Talking points:

2021-22

- The 2021-22 estimated outcome FTE compared to the 2021-22 Budget was as follows:

Entity	2021-22 Estimated Outcome	2021-22 Budget FTE	Variance
WCAG	78.98	75.52	3.46
WSIR	75.42	65.9	9.52
Total	154.4	141.42	12.98

- Key influencing factors in relation to the variance for **WCAG for 2021-22** relate to the following additional positions (more than anticipated in the 2021-22 Budget):
 - Industrial Relations and Public Sector Employment: SOGC Legal Co-ordinator;
 - Cultural Transformation Branch: SOGB Director, 2 x ASO6 Project Officers;
 - Professional Standards Unit: ASO6 Investigator; and
 - Secure Local Jobs Code: ASO5 Assessment Officer, ASO5 Project Officer and ASO6 Senior Regulatory and Compliance Officer.
- Key influencing factors in relation to the variance for **WSIR** are:
 - Variance due to additional staffing to backfill multiple staff on long term leave and new positions relating to vocational rehabilitation reforms.

2022-23 (in the Budget Papers)

- The FTE for 2022-23 is as follows:

Entity	2021-22 Estimated Outcome	2022-23 Budget FTE	FTE changes
WCAG (including OIR in 2022-23)	78.98	95.69	16.71
WSIR	75.42	70.9	-4.52
Total	154.4	166.59	12.19

- Key influencing factors in relation to the FTE changes for **WCAG for 2022-23** are:

- 23.5 FTE (22.5 FTE from new initiatives in the 2022-23 Budget and 1 FTE for SLJC from 2021-22 Budget):
 - Establishment of the Office of Industrial Relations and Workforce Strategy: 4.2 FTE in 2022-23 (from December 2022) and 3 for Secure Employment in 2022-23.
 - 7 FTE in 2023-24: 1 x SOGA, 4 x SOGB and 2 x SOGC positions.
 - ACT Public Service diversity and inclusion: 3.5 FTE (0.5 SOGA, 1 x SOGB, 1 x SOGC and 1 x ASO6)
 - Improving ACT Public Service flexibility: 11.8 FTE in 2022-23
 - Winyu House: 4.3 FTE
 - Concierge and Building Services Team (Support Model): 4.5 FTE
 - Flexible Working Arrangements team: 3 FTE
- Implementing recommendations on the Secure Local Jobs Code: 1 FTE (ASO6) from the 2021-22 Budget
- Key influencing factors in relation to the FTE changes for **WSIR** are:
 - Variance due to additional staffing to backfill multiple staff on long term leave.

Portfolio/s: Chief Minister
Industrial Relations and Workplace Safety

Enterprise Agreements update

Talking points:

- Most ACTPS enterprise agreements expire on 31 October 2022, except for the Teachers' agreement (30 September 2022), Nursing and Midwifery agreement (31 December 2022) and Fire Fighters' agreement (31 May 2024). The *Fair Work Act 2009* provides that an expired agreement continues in force until replaced.
- Bargaining formally commenced in February 2022 and regular meetings with the unions, are scheduled twice weekly on a fortnightly basis. The first bargaining meeting involving the unions was held when they advised they were ready to meet on 17 May 2022. Out of session discussions are also being scheduled where specific technical matters require further discussion.
- Bargaining has been conducted online with union support due to the increasing transmission risk of COVID-19 and other winter viruses.
- Claims from across the directorates and agencies have been assessed and collated into various themes for scheduled bargaining discussions.
- The majority of claims from the unions have been recently received and are currently undergoing assessment and collation into the various themes. Where there is an associated cost attached to particular claims, evaluations of the costs are being undertaken.
- When all these costs have been evaluated, the claims will be considered by the Government and a pay offer will be made.
- The Government looks forward to continuing to work with workers and their unions to achieve good outcomes for the community.

Key Information

- Enterprise bargaining is an opportunity to support change and strengthen ACTPS employment arrangements.
- The Government remains committed to a consultative and inclusive approach to industrial relations.
- In previous bargaining rounds the Government has provided increases to pay and superannuation, and also improved the terms and conditions of employment enjoyed by the Government's workforce.
- This has supported our ability to attract and retain workers which ensures that we have the right people on board to provide services to the ACT community.

Background Information

- Bargaining for the last round of enterprise agreements formally commenced in early March 2021. There were difficulties in progressing bargaining during periods of heightened COVID-19 transmission risk in the Territory because the unions and Government negotiation team were responding to other emerging and urgent COVID-19 related issues.
- To ensure the bargaining process was conducted comprehensively and workers' payrises were not unnecessarily delayed, the Government finalised and balloted the agreements in November 2021 through to December 2021 without substantial changes and for a period of one year. The replacement agreements are due to expire on 31 October 2022 and include two pay rises of 1.35% paid in December 2021 and June 2022 respectively.
- A logistics meeting has been held with non-union representatives and they have the same opportunity as the unions to contribute to discussions on claims. Some claims have been received from non-union representatives and once all have been received these will be negotiated with them.

Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

Secure Employment Framework

Talking points:

- The ACTPS achieves secure employment within the service through the delivery of two work programs that are delivered by WCAG's secure employment team:
 - The secure workforce conversion process; and
 - The insourcing framework.

Key Information

Secure Workforce Conversion

- The Secure Workforce Conversion (SWC) Program has been operating since September 2021, replacing its predecessor Insecure Work Taskforce which was in operation from 2018.
- The Insecure Work Taskforce was updated by the Secure Workforce Conversion to ensure compliance with the Commonwealth Fair Work Act's casual conversion requirements, which were introduced in March 2021 and became operational in September 2021.
- In total, 7 whole of government conversion rounds have been conducted since 2018.
- WCAG's secure employment team works with directorates and public sector agencies to facilitate the methodical examination of insecure work practices and deliver analytics and whole of service reporting on secure work conversion outcomes.
- So far, 519 insecure employees have been converted to permanent employment under both policy settings – the Insecure Work Taskforce and Secure Workforce Conversion Program.
- To date, 2 rounds have been fully completed under the Secure Workforce Conversion Policy, with 1,685 individual employee assessments conducted across the sector.
- Of the 519 employees converted to date, 45% of conversions to permanency (or 233 employees) have occurred during the two rounds of the new Secure Workforce Conversion Policy.
- The governance of the Secure Workforce Conversion features the ACT Unions Secure Employment Reference Group. This reference group is co-chaired by the Community and Public Sector Union and Executive Group Manager, Industrial Relations (WCAG).
- The ACT Unions Secure Employment Reference Group considers the data produced by each round of conversions and ensures consultation between the Unions and

each directorate and public sector agency which employs casual and temporary employees.

Insourcing Framework

- The insourcing framework will assess how government services are delivered and whether outsourced work that could be performed by public servants should be insourced.
- A Bill that provides for the development of the Insourcing Framework was introduced to the Assembly on 1 December 2021 ('Financial Management Amendment Bill (No 2) 2021'). The Bill outlines that the Insourcing Framework will be established by a Notifiable Instrument.
- Work on the development of the evaluation criteria is nearing completion supported by two discussion papers. Consultation on the draft Insourcing Framework has commenced with directorates, public sector bodies, and ACT unions.
- Feedback has focused on the scope of the insourcing framework, labour market constraints and consistency with existing government processes and procedures. This feedback is being incorporated into the draft framework.
- The next steps for the insourcing framework are the completion of five more pilots under the draft framework, which are scheduled to run through August 2022 and September 2022.
- Following the completion of the pilots, the draft insourcing framework will be finalised and the Minister has indicated that debate on the Financial Management Amendment Bill (No 2) 2021 will commence. This debate is expected in the final sitting weeks of 2022.

Background Information

Secure workforce conversions

- A secure workforce conversion assessment considers a range of factors and is harmonised with the *Fair Work Act 2009*. Some qualifying factors include having:
 - more than 12 months service with the Territory; and
 - a right to permanent appointment:(Permanent residency/Australian citizenship)
- Should an employee qualify for assessment, the outcome of the assessment may be that the employee is not eligible for conversion to permanency. An employee may be deemed not eligible for conversion due to factors including:
 - There is no ongoing requirement for this position/ is only required seasonally
 - The employee has no demonstrated history of regular hours, especially over the last six months.
 - Merit-based recruitment in relation to this position has commenced
 - Performance issues.

Portfolio/s: Chief Minister

Chief Minister

ARINS

Talking points:

- ACTPS Enterprise Agreements provide that Attraction and Retention Initiatives (ARIns), which generally provide a monetary benefit to supplement base salary, can be offered in some circumstances.
- In addition, the *Public Sector Management Act 1994* provides limited where the Head of Service can facilitate additional payment to employees.

ARIns

- It is a matter for a Director-General's discretion (in consultation with the Head of Service) as to whether an ARIn will be applied to an employee in a position.
- ARIns are not intended to mask classification issues, or to reduce conditions.
- In determining whether to apply an ARIn to an employee in a position, the Director-General will have regard to the following matters:
 - whether the position is critical to the operation of the Directorate or to a business unit in the Directorate;
 - whether an employee who occupies the position requires specialised qualifications, skill set and/or experience to perform the requirements of the position;
 - whether the role and skills required by the employee who occupies the position are in high demand;
 - the level at which comparable individuals with skills and qualifications for the role are remunerated in the marketplace;
 - the difficulty and cost associated with recruiting to the position;
 - any other matter he or she considers relevant to determining whether or not an ARIn would be appropriate in the circumstances.
- As at August 2022 125 employees were receiving an ARIn payment, to a total value of \$11,754,316.

s245 Payments

- S245 of the *Public Sector Management Act 1994* provides the following arrangements:

245 Additional payment

(1) The head of service may, in writing, approve payment, however expressed, in addition to a public servant's salary and allowances (an additional payment) for the public servant in relation to the exercise of the public servant's functions.

(2) The approval may include a condition in relation to the use of the additional payment by the public servant.

(3) Any additional payment must be made from money appropriated by the Legislative Assembly.

- Historically this provision has been used sparingly.
- As at August 2022, 125 employees were receiving s245 payments to a value of \$5,894,368.
- All recipients of s245 payments are medical practitioners.

Combined ARInS and s245 Payments

- Combining both ARInS and s245 payments there are 250 recipients, to a total of \$17,648,684.¹
- Of those 250 recipients, 213 are in Canberra Health Services, the majority of which are to medical practitioners.
- Outside Canberra Health Services there are 37 ARInS and no s245 payments to a value of \$995,999. The Chief Minister, Treasury and Economic Development Directorate has the most (11), followed by Education Directorate (8), Health Directorate (6), Canberra Institute of Technology (5), Justice and Community Safety (3), Environment Planning and Sustainable Development Directorate (2) and Community Services Directorate and Major Projects Canberra having one each

¹ A small number of recipients receive both a s25 payment and an ARIn.

Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

Office of Industrial Relations and Workforce Strategy

Talking points:

- The 2022-23 Budget established a new Office of Industrial Relations and Workforce Strategy within CMTEDD which would ensure consistent implementation of ACT Public Service (ACTPS) enterprise agreements and whole of government policies and promote stronger relationships between unions, workers and the public service at all levels.
- Funding of \$6m has been allocated over the next four years to deliver this commitment and the Secure Employment Framework.
- The new Office will provide a formal structure to lead the ACTPS industrial and workforce agenda into the future.
- Through establishing the Office, the ACTPS will develop and consolidate high-level expertise in industrial relations and employment policy into a single strategic area. This will provide a unique opportunity to shape the culture and workforce practices of the ACTPS.
- The Office will have the authority to ensure that policies such as the Secure Employment Framework and Union Encouragement Policy are fully understood and consistently implemented across the Service, while engaging with directorates on day-to-day decision making within the ACT's industrial relations framework.
- The introduction of the Office will provide the foundation for a more effective ACTPS – where industrial and employment policy is developed and delivered in a consistent and collaborative manner. This will build greater trust with, and between, all stakeholders and ensure that employee workplace experiences are consistent across the ACTPS.

Key Information

- The Office will drive workplace reform through progressive enterprise agreement and employment policy development.
- Importantly, the Office will have the authority to develop and actively implement whole of government policies. The Office will provide support to directorates working through complex industrial matters and when implementing industrial relations and employment policy.
- The Office will support consistent interpretation and application of whole of government policies and greater coordination of industrial, employment and human resource matters across the ACTPS.

Background Information

- The need for strong and connected development and delivery of industrial relations and employment policies has never been more important for the ACTPS. ACTPS workforce arrangements are changing rapidly. This is in part due to emerging skills shortages, the ongoing impact of the ongoing COVID-19 pandemic, the growth in the size and diversity of the ACTPS workforce and the transition to hybrid and flexible work arrangements. These trends are expected to continue, necessitating further changes to workforce arrangements and workplaces.
- These dynamic arrangements have put pressure on the ACTPS and its supporting infrastructure, exposing structural vulnerabilities that have existed and remained unresolved for many years. This pressure has manifested in increases in directorate disputation, difficulties supporting workforce agility, increasing calls for detailed and definitive whole of government industrial relations policies and guidance, and for assistance to apply these in ACTPS workplaces.
- The Government will establish an Office of Industrial Relations and Workforce Strategy to consolidate and strengthen the management of industrial relations across the ACT Public Service.
- A review will be conducted once the Office is fully operational to determine ongoing resourcing needs from 2024-25.
- The costs will be partially offset through contributions from directorates. Costings for the establishment of the Office are set out in the table below and included in the Budget papers.

Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

Response to Industrial Action

Talking points:

- The ACT Public Service (ACTPS) has experienced minimal incidence of industrial action and has been able to maintain co-operative working relationships through sometimes challenging times. However, the ACTPS is prepared to respond to industrial action if it occurs.
- Successfully managing industrial action involves readiness to respond – the notice periods are short (usually three days) and once notice is received there is a great deal of preparation to be done.
- As part of enterprise bargaining planning, directorates and agencies are required to identify cohorts of employees that may be likely to take industrial action and formulate contingency plans to manage these situations should they arise.
- There are a number of options available to directorates in responding to industrial action, including invoking the dispute avoidance and settlement procedures under the enterprise agreement or making an application to the Fair Work Commission for an order to suspend or terminate industrial action in certain circumstances.
- Due to the complexities of industrial action, all industrial action, potential or actual, will be jointly managed by the relevant directorate(s) and Workforce Capability and Governance (WCAG), with the assistance of the Government Solicitor as required.

Key Information

- Industrial action taken in accordance with the *Fair Work Act 2009* is a routine and legitimate exercise of workers' rights to campaign for better outcomes. As such, there is limited capacity for employers to stop it.
- The employer has an opportunity to oppose an application for a Protected Action Ballot Order (PABO) in circumstances where the application does not meet the requirements of the *Fair Work Act 2009*, for example where the unions have not been genuinely trying to reach an agreement regarding the matters in question.
- The employer may also seek to extend the notice periods in relation to proposed action/s where there are exceptional circumstances.
- Industrial action cannot be taken before the nominal expiry date of the existing enterprise agreement. Most agreements expire on 31 October 2022, with the exceptions being the Teachers' agreement (30 September 2022), Nursing and Midwifery agreement (31 December 2022) and Fire Fighters' agreement (31 May 2024).
- An internal Industrial Action Policy has recently been developed to support directorates and agencies to manage industrial action within their workplaces.

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Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

Board Processes and Good Governance

Talking points:

Background and context

- As part of its central agency role, WCAG promotes and upholds the whole of government Governance framework for public appointments to boards and committees made by the ACT government.
- The Governance Principles policy provides a process for statutory and non-statutory appointments including for statutory office holders and ACT boards and committees.

WCAGs role in board processes and good governance

- WCAG conducts a scrutiny phase in the Cabinet appointments process.
- WCAG scrutinises every cabinet submission including executive and ministerial appointments for governance issues (see governance issues section on page 2).
- Where the proper process is not followed as per the Governance Principles policy for appointments or where statutory requirements for an appointment have not been met, WCAG provides full and frank advice to the Chief and Cabinet on possible consequences and risks to the territory of proceeding with the appointment.
- WCAG does not support appointments which do not adhere to the merit and equity principle. WCAG recommends against reappointment or suggests reductions in term lengths where individuals have already served two terms or 6 years in a public appointment, board or committee.

Requests for exemption

- Where a Minister seeks to forgo Cabinet consultation, under WCAG's policy they need to make a strong and compelling case to the Chief Minister that there is a time sensitive or business critical need which warrants an exemption from the proper process.
- Ministers must brief the Chief Minister and provide adequate reasons and details to support their course of action.
- As a matter of practice, the Chief Minister's office asks for WCAG's views on any Requests for exemption that are made. WCAG provides frank advice that clearly identifies any risk, governance concerns and possible consequences of approving exemptions.

Key Information

Governance review

- Resourcing has been allocated to undertake a whole of government governance review of public servant appointments to boards and committees.
- The review will identify any current risks to the Territory and provide recommendations to better manage and engineer out the risk.

WCAG systems and processes manage risk to the Territory through transparency requirements:

- WCAG maintains a central register for Appointments on sharepoint. Directorates have a responsibility to keep their appointments information up to date.
- WCAG developed a comprehensive package of required documentation for Cabinet appointment submissions. Every appointment that comes to Cabinet must include:
 - Statements of experience for all proposed candidates. This provides evidence of merit selection through details of relevant experience.
 - A schedule of applicants listing all persons who applied for the positions.
 - The position description and/or terms of reference for the board or committee.
 - The term length proposed and remuneration that will be paid.
 - Evidence of consultation with each of the ACT's diversity offices

Background Information

Where WCAG is requested to provide advice on appointments, the Governance issues may relate to:

- If information and details are missing from the Cabinet submission.
- if merit processes were not run to support the appointment.
- if outdated merit lists are being used (more than 12 months old).
- if a schedule of applicants has not been provided.
- if the same people are being reappointed to boards and committees.
- if people are sitting on boards and committees for more than two terms.
- if people are being appointed to positions for more than 6 years.
- if consultation was not done properly with the diversity offices in accordance with the Government's diversity, representation and renewal objectives.

Future work program

- In 2022-23 there will be an additional focus on education and consultation across the service, including the delivery of training by WCAG on the Governance Principles policy and best practice approaches to appointments with directorates.

Executive Numbers

Talking points:

- At June 2022, there were 311 senior executives employed in the ACT Public Service (an increase of 7 senior executives, or up by 2% from previous year). This represents 0.07% of the ACT population (454,000 at the 2021 Census).
- Between March 2020 to June 2021, 15 temporary positions were created as a result of the COVID-19 pandemic, including 8 Communications and Engagement roles to provide support to the Public Information Coordination Centre and across the ACTPS.
- Full-time equivalent (FTE) employment increased to 308.2 (up from 301.4 in the 2020-21 reporting year).
- Senior executives account for 1.1% of the total ACTPS headcount.
- The Chief Minister, Treasury and Economic Development Directorate had the highest number of senior executives across the ACTPS Directorates (92), followed by the Justice and Community Safety Directorate (53).
- Community Services Directorate and Transport Canberra and City Services Directorate experienced the largest growth in their executives' numbers during the reporting year.
- The Executive Band 1 classification has the highest number of executives (198 or 64% of senior executives). 145 executives fall within Executive Level 1.4.
- As at June 2022, 55.9% of executive positions were held by women.

Key Information

- Numbers by Directorate at June 2021 and June 2022 and percentage change between June 2021 and June 2022:

Senior Executive by Directorate	Jun-21	Jun-22	% change
Canberra Health Services	19	21	11%
Chief Minister, Treasury and Economic Development Directorate	92	92	0%
- ACT Insurance Authority	1	1	0%
Community Services Directorate	25	29	16%
Education Directorate	21	21	0%
Environment, Planning and Sustainable Development Directorate*	18	20	11%
ACT Health Directorate	31	28	-10%
Justice and Community Safety Directorate	53	53	0%
Major Projects Canberra	17	15	-12%
Transport Canberra and City Services Directorate	27	31	15%
ACTPS Total	304	311	2%

* EPSDD figures include City Renewal Authority and Suburban Land Agency Executives.

Numbers by classification level at June 2021 and June 2022:

Executive Level	Jun-21	Jun-22
Executive Level 1.1	3	2
Executive Level 1.2	20	19
Executive Level 1.3	32	32
Executive Level 1.4	137	145
Total at Band 1	192	198
Executive Level 2.1	5	5
Executive Level 2.2	27	23
Executive Level 2.3	19	25
Executive Level 2.4	27	26
Total at Band 2	78	79
Executive Level 3.1	1	1
Executive Level 3.2	12	11
Executive Level 3.3	8	7
Executive Level 3.4	1	3
Total at Band 3	22	22
Executive Level 4.1	2	1
Executive Level 4.2	5	7
Executive Level 4.3	4	3
Executive Level 4.4	1	1
Total at Band 4*	12	12
ACTPS Total	304	311

* Total Band 4 includes City Renewal Authority and Suburban Land Agency Executives

Aboriginal and Torres Strait Islander Executives and Senior Officers

- 2.3% of Executives (approximately 7 people) and 1.8% of Senior Officers (approximately 62 people) in the ACTPS identify as Aboriginal and Torres Strait Islander people.

Portfolio/s: Chief Minister
Chief Minister

ACTPS Staffing Numbers

Talking points:

- The **ACTPS grew by 3.8% (991 employees)** over the 2021-22 reporting period.
- Full-time equivalent (**FTE**) employment **increased by 3.1%, or 718.1 FTE** over the same period.
- As at 30 June 2022, 75.9% of employees were permanent employees, 17.2% were temporary employees and 6.9% were casual employees.
- ACT Health experienced the largest growth of 22.5% (FTE), followed by Community Services 10.3% (FTE), and then Chief Minister, Treasury and Economic Development 3.8% (FTE).
- For the financial year ending June 2022, the Health Directorate FTE has indicated the increase is directly relevant to the:
 - Staffing requirements for implementation of the Digital Health Record Program set to go-live in November 2022, to deliver the territory wide DHR system at all ACT Public health services; and
 - Staffing requirements within the COVID-19 Branch to coordinate the public health response to COVID-19.
- Recruitment and separations rates increased from the previous year:
 - The recruitment rate for the ACTPS was 11.9% at June 2022 (11.2% at June 2021);
 - The separation rate for the ACTPS was 8.2% at June 2022 (6.2% at June 2021).
- As at 30 June 2022, 65.1% of ACTPS staff are women; 34.8% of ACTPS staff are men and 0.1% are non-binary people¹.

Key Information

- There were 27,132 employees in the ACT Public Service as at 30 June 2022, up from 26,141 employees in the previous year.
- Headcount and Full Time Equivalent (FTE) are standard measures of staff numbers. Headcount considers each employee as one regardless of whether they are full time or part time. In contrast, FTE represents total employee numbers based on equivalent full-time hours worked.

¹ Non-binary is used respectfully as an umbrella term describing gender identities that are not exclusively male or female

Background Information

ACTPS Directorates	June 2021 FTE	June 2022 FTE	Percentage change	June 2021 Headcount	June 2022 Headcount	Percentage change
ACT Health	613.0	806.5	31.6%	869	1,059	21.9%
Canberra Health Services	6,887.7	7,109.4	3.2%	7,921	8,228	3.9%
Chief Minister, Treasury and Economic Development	2,565.7	2,663.2	3.8%	2,647	2,777	4.9%
- <i>ACT Insurance Authority</i>	22.7	27.4	20.6%	24	28	16.7%
Community Services	966.4	1,066.0	10.3%	1,032	1,131	9.6%
Education	6,724.3	6,792.3	1.0%	8,177	8,451	3.4%
Environment, Planning and Sustainable Development	693.3	701.5	1.2%	738	735	-0.4%
Justice and Community Safety	2,076.0	2,149.1	3.5%	2,186	2,249	2.9%
Major Projects Canberra	202.4	205.7	1.6%	205	209	2.0%
Transport Canberra and City Services	2,099.9	2,060.1	-1.9%	2,342	2,265	-3.3%
ACTPS TOTAL	23,044.8	23,762.9	3.1%	26,141	27,132	3.8%

Portfolio/s: Chief Minister

Chief Minister

2021 Pilot ACTPS Employee Survey update

Talking points:

- Following the success of the Pilot 2021 ACTPS Employee Survey, planning has commenced to establish the ACTPS Employee Survey as an ongoing bi-annual initiative. The next ACTPS Employee Survey will be delivered in March 2023.
- Results from the Pilot 2021 Survey give an important benchmark to assess our continuing improvement efforts across the ACTPS.
- To ensure that the ACTPS obtained the maximum benefit from the 2021 Survey, a series of 11 themed papers were developed in the first half of 2022, exploring the service-wide results. This in-depth analysis has been shared across the service via Strategic Board, People Forum and the Survey Working Group, and will be incorporated into the 2021-22 State of the Service Report.

Key Information

- The Pilot 2021 ACTPS Employee Survey was open to ACTPS staff for three weeks from 26 July to 13 August 2021. The survey:
 - Provided staff with a constructive avenue to provide feedback,
 - Facilitated feedback on key Whole of Service priorities, including productivity, culture, and leadership,
 - Satisfied important operational and corporate requirements, such as providing input data for the State of the Service Report, and
 - Allowed benchmarking of performance and monitoring of improvement against critical targets.
- The Survey achieved a 58% overall response rate, with 5,664 responses out of 9,748 invitees and participating registrants.
- Participants were asked 144 questions and the average Survey completion response time was 25.9 minutes
- Seven Directorates and three sector entities participated in the pilot Survey with a cost sharing model.
- ORIMA Research was engaged to conduct the survey on behalf of the ACT Government. ORIMA has delivered several surveys for the ACT Government.
- The total contract price for the pilot survey is \$172,340 (incl GST).
- Based on the success of the 2021 pilot, preparations are underway to establish the ACTPS Employee Survey as an ongoing bi-annual initiative, beginning in March 2023.

Background Information

- On 14 April 2021, the ACTPS Strategic Board endorsed conduct of a new ACTPS Employee Survey (the Survey).
- Strategic Board appointed CMTEDD to implement the Survey and agreed to conduct it as a pilot in 2021 with those directorates that wished to participate.
- In future years, it is intended that participating ACTPS organisations will include all directorates, and those sector bodies that choose to participate.
- Seven directorates and three sector entities were part of the 2021 pilot Survey.
- Conducting a service wide Survey brings the ACTPS into line with all other Australian jurisdictions including the Australian Public Service.

Portfolio/s: Chief Minister
Chief Minister

Strategy and Transformation Office & key achievements

Talking points:

- The Strategy and Transformation Office (STO) was established on 1 October 2020.
- The purpose of the STO is to provide the Head of Service and the Strategic Board with in-depth strategy advice and policy analysis on key priorities affecting whole of Service.
- The STO operates similarly to Management consulting firms with a clearly defined problem-solving methodology applied within a set period of time. Projects are short, sharp, and focussed on problem-solving and discovery. The three priority areas for the STO are:
 - Lead strategy reviews, research, data analysis and provide policy advice in accordance with Government priorities
 - Supporting directorates to develop effective strategies and policies, and helping them to build their strategic capability
 - Conducting occasional strategic audits and identifying key challenges and potential solutions for directorates.

Key Information:

During the 2021-22 FY, the STO completed:

- Delivery of the Pilot ACTPS Employee Survey in August 2021.
 - Results from the Pilot Survey give an important benchmark to assess our continuing improvement efforts across the ACTPS.
 - Key insights from the Survey were incorporated into the 2020-21 State of the Service Report.
 - To ensure that the ACTPS obtains the maximum benefit from the data obtained, a series of 11 themed papers have been developed in the first half of 2022, exploring the service-wide results. This in-depth analysis has been shared across the service via Strategic Board, People Forum and the Survey Working Group, and will be incorporated into the 2021-22 State of the Service Report.
- Five Strategic Board Projects:
 1. Best Practice Education Complaints Handling Framework
 2. Screen Industry Audit in partnership with Economic Development and Screen Canberra
 3. Establishment of a Cultural Safety Working Group in partnership with ACT Health
 4. Digital Infrastructure Strategy for the ACT in partnership with Major Projects Canberra and the Chief Digital Officer
 5. Review of Access Canberra Accountability Indicators
- An Australia and New Zealand School of Government (ANZSOG) supported research partnership that examines the future of flexible work in public services. This project is a

partnership between ANZSOG, the ACTPS and the University of New South Wales' Public Service Research Group (PSRG) based in Canberra. The research project examines factors that can lead to more effective flexible working, including the built environment, and managerial and organisational support. This project is supported through a \$100,000 ANZSOG grant to the ACTPS and will conclude with a published report in August 2022.

- The STO has hosted a total of 25 Graduates from across the ACTPS including 14 from the Talent Bank program.
- The STO has accepted secondments from Worksafe ACT, CIT and the Health directorate to work on co-designed projects with those agencies that they would otherwise be unable to undertake on their own due to lack of capacity and specialised capability.
- The STO has facilitated over 40 masterclass workshops on a range of topics, including strategic thinking, problem solving, and data visualisation and data analytics to more than 60 ACTPS employees.

Forward work plan:

- 2021-22 State of the Service Report
 - The 2021-22 State of the Service Report is due to the Chief Minister on 7 October 2022.
 - The report will adopt the themes of Innovation, Agility and Integrated Systems. These themes act together with the outline to provide a framework for the report.
 - This framework supports three key ambitions for the State of the Service Report:
 1. Fulfilling legislative obligations,
 2. Building a narrative that showcases the success of the ACTPS, and
 3. Providing direction-setting cues that highlight how the ACTPS will continue to evolve to meet emerging and future needs of the ACT community.
 - The report will incorporate the analysis of the ACTPS Employee Survey and Agency Survey results which serve to collect data and input from directorates and sector bodies to support the 2021-22 State of the Service Report.
 - Effort will continue to be made to consolidate the State of Service report and reduce the length (previously 100 pages).
- Health Recruitment and Workforce Recovery Flagship project
 - The STO has commenced consultation and business process mapping of CHS and ACT Health recruitment and onboarding to identify gaps, delays and areas to streamline processes.
 - In September 2022 the STO will commence a research project looking into mechanisms to support health workforce recovery from COVID-19 challenges and ways to establish organisational resilience. This would provide a roadmap of more immediate activities or initiatives that could be put in place to support staff retention as we move to the 'new normal' and ensure the ACT is better placed to respond to a future crisis or emergency.

- Insourcing Strategic Projects
 - The STO is considering ways to consolidate current functions and expand its outreach across the Service, including through the insourcing framework, procurement processes, and forthcoming Innovation Centre.
 - After 18 months of operation the STO has the tools, expertise and evidence to capitalise on its value proposition and appropriately charge for its services.
 - On average, the financial savings from insourcing STO projects is around 10%, based on industry estimates. This doesn't include the cost to government associated with procurement and contract management processes.
 - Trialling an insourcing approach to complete strategic projects in-house that would otherwise be completed by professional services consulting firms has been supported by the Chief Minister and the Minister for Workplace Safety and Industrial Relations.
 - The STO is working with Screen Canberra and Business and Innovation, CMTEED to consider insourcing the review of the Screen Investment Fund, due for delivery in October 2022.
- Whole of Service Employee Survey
 - Based on the success of the 2021 pilot, the (ACTPS) Employee Survey will continue to be run every two years.
- Education Cultural Change Program Supporting Children with Disabilities
 - The STO is partnering with the Education Directorate and consulting with the Office for Disability to develop a cultural change program to better support children with disabilities in mainstream ACT Public Schools. The project is due for completion in August 2022.
- Feasibility Study Considering the Expansion of Yarralumla Nursery
 - The STO is partnering with Yarralumla Nursery and Transport Canberra City Services to review current business operations, future market demand and the possibility of expanding into the adjacent area of Weston Park or an ACT Government owned site in Pialligo. The project is due for completion in August 2022.
- Office of Industrial Relations and Workforce Strategy ICT Project
 - The STO will conduct in-depth research, business analysis, consultation and costings for appropriate ICT business systems and CRM options to support the development of a unified business case for the Office of Industrial Relations and Workforce Strategy.

Portfolio/s: Industrial Relations and Workplace Safety

Secure Local Jobs Code General Operations
Talking points:

- As of COB Friday 27 July 2022 there are are **2037** entities that hold a Secure Local Jobs Code certificate:
 - Construction – 1647 (80.8 %)
 - Cleaning – 100 (4.9 %)
 - Security – 68– (3.3 %)
 - Traffic Management – 13 (0.6 %)
 - Labour – 210 (10.3 %)

Compliance and Enforcement Activity

Complaints					
	2018-19	2019-20	2020-21	2021-22	Totals
Number of complaints received	10	19	20	15	64
Number of complaints investigated	4	10	17	5*	36
Number of complaints that did not progress to investigation	6	9	3	10	28
Number of complaint Investigations completed in the financial year	1	10	13	5	29
Complaint investigations in progress	0	0	0	0	0

Registrar initiated compliance investigations\audits					
	2018-19	2019-20	2020-21	2021-22	Totals
Number of Registrar initiated compliance investigations	7	61	116	95	279
Number of Registrar initiated audits	0	0	2	0	2
Number of Registrar Initiated Investigations completed in the financial year	7	48	129	95	279
Number of Registrar initiated investigations in progress	0	0	0	0	0
Investigations in progress					

	2018-19	2019-20	2020-21	2021-22 YTD	2022-23 YTD	Totals
Number of complaints investigations in progress	0	0	0	0	0	0
Number of Registrar initiated investigations in progress	0	0	0	0	14	14
Complaints referred to SLJC from another Authority	-	-	-	-	0	0
<i>Total number of investigations in progress</i>	0	0	0	0	14	14

*Number of complaints compared to number of compliant investigations may not align because when multiple complaints relate to a single entity and the same Territory contract the complaints may be combined into a single investigation.

Compliance Actions						
	2018-19	2019-20	2020-21	2021-22	2022-23 YTD	Totals
Number of Code Certified Entities sanctioned	1	7	4	17	2	31
Complaints referred to another Authority	0	3	0	4	0	7

Background Information

Complaints

- For the 2021-2022 financial year, the Secure Local Jobs Code Registrar received 15 complaints of allegations of non-compliance with Secure Local Jobs Code obligations
- Complaints to the Registrar must be made in accordance with section 22Q of the *Government Procurement Act 2001*.
- Allegations of non-compliance include:
 - Code Covered Entities not engaging with an industrial association during enterprise agreement negotiations (Section 15 of the Code)
 - Failure to comply with Long Service Leave obligations (Section 11 of the Code)
 - Failure to pay superannuation and failure to pay wages and entitlements under an award (Section 11 of the Code)
 - Engage subcontractors that do not hold a current Secure Local Jobs Code certificate (Section 8 (2)) of the Code)

- Code Covered Entities not allowing employees the right for representation (Section 13 of the Code)

Investigations

- 105 investigations were completed by the Secure Local Jobs Code Compliance Unit in the 2021-2022 financial year.
- Investigations were undertaken as a result of:
 - complaints received by the Registrar; and
 - the Registrar initiating compliance checks on Code Certified Entities.
 - the Registrar initiated audits on Code Certified Entities
- There are currently 14 active investigations underway.
 - 14 Registrar Initiated investigations
 - There are currently no complaint investigations underway
- Since the commencement of the Code on 15 January 2019, there has been a total of 331 investigations completed by the Secure Local Jobs Code Compliance Unit.
 - 52 completed investigations from complaints; and
 - 279 completed Registrar initiated compliance checks.

Sanctions

- Since the commencement of the Code 21 entities have received sanctions for breaches of the Code with two entities breaching multiple section of the Code. One entity has been sanctioned twice for two separate breaches the Code.
 - **Section 8** of the Code (17 entities) – 81%
Engage subcontractors that do not hold a current SLJC Certificate
 - **Section 11** of the Code (6 entities) – 29%
Adherence to law (Failure to comply with prescribed legislation)
 - **Section 12** of the Code (2 entity) – 10%
Requests for information (Failure to comply with with reasonable request for information)
 - **Section 7** of the Code (6 entity) – 28%
Requires that a Code Certified Entity must ensure they hold a SLJC Certificate for the term of the relevant contract
- 15 Code Certified Entities received sanctions in the 2021-2022 financial year. 1 Entity has received more than 1 infringement.
 - In the 2021-2022 financial year, 1 Code Certified Entity received 20 infringement points, 2 Code Certified Entities received 15 infringement points, 1 Code Certified Entity received 10 infringement points and 1 Code Certified Entity received 5 infringement points for breaching section 7 of the Government Procurement (Secure Local Jobs) Code.

- Section 7 of the Code requires that a Code Certified Entity must ensure they hold a Secure Local Jobs Code Certificate for the term of the relevant contract.
- In the 2021-2022 financial year, 4 Code Certified Entities received 20 infringement points, 3 Code Certified Entity received 15 infringement points, 2 Code Certified Entities received 30 infringement points, 1 Code Certified Entity received 25 infringement points, 1 Code Certified Entity received 40 infringement points for breaching section 8 of the Government Procurement (Secure Local Jobs) Code.
 - Section 8 of the Code requires that a Code Certified Entity must ensure that any subcontractor engaged with territory-funded work have a valid secure local jobs code certificate.
- Sanctions are in applied in accordance with section 22T of the *Government Procurement Act 2001* and section 7 of the *Secure Local Jobs Complaints and Noncompliance Investigation Guidelines*.

Portfolio/s: Industrial Relations and Workplace Safety

Government Procurement (Ethical Treatment of Workers Evaluation)

Direction 2021

Talking points:

- **To obtain a Secure Local Jobs Code Certificate entities are required to provide** information about their business including details on any proceedings related to the prescribed legislation, Business Activity Statements and ATO portal activity, Superannuation contributions for staff, Long Service Leave contributions, Workers Compensation insurance, Public Liability insurance, Payroll tax, employee entitlements, any other relevant funds or schemes and their SLJC systems and policies.
- **The Ethical Treatment of Workers Evaluation evaluates** and assesses supplier behaviour and business practices against the Fair and Safe Conditions for Workers Procurement Value.
- The Ethical Treatment of Workers Evaluation process established under the *Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021* (Direction) provides a fair and transparent process to ensure that the ACT Government only awards contracts to ethical suppliers. It encourages suppliers to meet the highest standards relating to pay, employment conditions, superannuation, the health and safety of their workers and payment of tax. This will ensure ACT Government procurement spend continues to support and create secure, safe jobs for all Canberrans.
- It requires the Fair and Safe Employment Evaluation Criteria to be applied to all relevant procurement in addition to the existing evaluation criteria such as technical capability and price. The assessment against the Fair and Safe Employment Evaluation Criteria will determine if a supplier should proceed for consideration in the procurement process.
- The Direction implements the two-stage procurement process to assess supplier's compliance with the Code obligations and other Government policy initiatives prior to their tender being considered for further assessment recommended by the Secure Local Jobs Code Advisory Council in its Review of the Secure Local Jobs Code (Code).
- The Ethical Treatment of Workers Evaluation has been designed with conscious consideration of the impact on Suppliers when tendering with ACT Governments. For ethical Suppliers that are compliant with their industrial relations, employment and/or workplace safety obligations the process should have very little impact on their engagement with the Territory procurement activities.

Key Information

- As of 28 July 2022 we have received 24 Tenders, 16 have been completed 8 are in progress.
- 1 respondent has been set aside.

- The Ethical Treatment of Workers Evaluation commenced on 1 February 2022 for all applicable procurements.
- The Evaluation applies to procurements that the Secure Local Jobs Code applies to, with an estimated value of \$200,000 or more conducted by open tender.
- The Fair and Safe Employment Evaluation Criteria evaluates a supplier's ongoing compliance with the Code and any risks they pose to the Territory's reputation.
 - Compliance with the Code is evaluated by reviewing performance against previous Labour Relations Training and Workplace Equity Plans (LRTWEP) any convictions, civil penalties, or non-complying conduct in connection with prescribed legislation in the preceding five years.
 - Reputational risk is evaluated by whether a supplier has demonstrated any actions or omissions that would likely have a material adverse effect on the reputation of the Territory, a Territory entity or the public interest, or public confidence in the Territory and its procurement framework.
- The amendment to the Government Procurement Act 2001 and the Government Procurement Regulation 2007 now changes the way **Labour Relations Training and Workplace Equity Plans** are evaluated and assessed. These plans now undergo an independent assessment of compliance with prescribed legislation and seek to emphasise compliance with commitments in LRTWE Plans for tenderers that have previously engaged with the Territory under a contract for Territory-funded work. Instead of this assessment being conducted by many officers across various Directorates, the SLJC branch will now undertake this assessment for consistency and independence.
- The amendment to the Government Procurement Act 2001 and the Government Procurement Regulation 2007 increases the effectiveness of the Secure Local Jobs Code and allows for the obtaining of information or documentation to improve compliance with the obligations of the Code and to make determinations.
- These changes will mean that the Registrar will be equipped with the power to effectively monitor compliance with the Code. Authorised Officers of the Branch will now be able to enter the premises of a Code Certified Entity performing Territory-funded work to inspect, examine, ask questions, or gather information about their compliance with the Secure Local Jobs Code. This will assist in cases where non-compliance is suspected or reported to the Registrar.
- These changes will also strengthen the Registrar's engagement with relevant regulatory authorities to ensure entities are complying with workplace laws. Information and documents obtained from an investigation will now be shared with regulatory authorities responsible for administering a workplace law if non-compliance with workplace laws is found whilst conducting compliance activities under the Code.
- The Bill additionally provides significantly strengthened powers for the Registrar to suspend or place conditions on a Code Certified Entity's certificate if they have reasonable grounds to suspect failure to comply with the Code. This power is critical

to ensure that repeatedly non-compliant companies are not rewarded by receiving contracts with the ACT Government. The Registrar's ability to temporarily suspend Code certification while an investigation is underway and cancel when appropriate is an essential mechanism for ensuring ACT Government agencies do not repeatedly contract with non-compliant entities while potential issues are being investigated.

- The Ethical Treatment of Workers Evaluation was developed in consultation with Territory entity procurement teams and relevant policy areas across all ACT Government Directorates and Agencies. Consultation with the Code Advisory Council seeking external stakeholder views also informed the development of the Evaluation.
- The Secure Local Jobs Code Branch (SLJC Branch) has delivered training and engagement activities to support implementation with both Territory entities and industry ahead of the commencement of the Direction. This has included 21 information sessions for Territory entities and individual Directorate teams, as well as nine industry briefings for affected industry and an information session to the Master Builders Association with over 100 registered attendees.
- The SLJC Branch's engagement with industry about the Ethical Treatment of Workers Evaluation is ongoing with scheduled fortnightly information sessions that can be booked on the SLJC website running through to the end of May 2022 with the possibility of extension if demand remains high.

Background Information

- The Code commenced on 15 January 2019 and was established in Part 2B of the *Government Procurement Act 2001*. The Code was developed to strengthen the ACT Government's procurement practices by ensuring contracts are only awarded to businesses that meet high ethical and labour standards.
- Ten recommendations were made to drive improvement in the operation of the Code from the review of the Code by the Code Advisory Council.
- The Direction was developed to align with the Fair and Safe Conditions for Workers Procurement Value outlined in the *Government Procurement (Charter of Procurement Values) Direction 2020*, ensuring that the ACT Government only contracts with suppliers who demonstrate behaviour and business practices aligned with the value.
- A comprehensive review of the Ethical Treatment of Workers Evaluation will be conducted by Procurement ACT with support of the SLJC Branch 12-months from the Evaluation commencement. The review will address the integration of the new process into ACT Government procurements to date and provide recommendations for improvement. It will also consider options to expand the scope or criteria of the Ethical Treatment of Workers Evaluation.

Portfolio/s: Chief Minister

Chief Minister

Workforce Diversity and Inclusion

	2017-18	2018-19	2019-20	2020-21	2021-22
Aboriginal and Torres Strait Islander employees	1.7%	1.8%	2.0%	2.0% In SES: 1.6%	2.0% In SES 2.3%
Employees identifying as a person with disability	2.5%	2.7%	2.8%	2.9% In SES: 5.6%	2.9% In SES: 6.1%
Culturally and Linguistically Diverse	17.9%	18.7%	20.3%	21.5%	23%
Aged over 60 years	8.7%	8.9%	8.8%	8.9%	8.9%
LGBTIQA+ (<i>staff survey self-report</i>)	-	-	-	6%	-

Table 1: Workforce Diversity Data

Key message

The ACT Public Service is a diverse workforce, largely reflective of the Community it serves. To drive our reputation as a progressive, inclusive jurisdiction, we are delivering programs to embed diversity and build and inclusive workplace across the service.

We have made progress in 2021-22:

- Clear, measurable employment goals re-set for:
 - Aboriginal and Torres Strait Islander people: to 3% by 2026 (from 2%)
 - People with disability: to 5% by 2026 (from 3.1%)
- A new KPI to benchmark and improve **Inclusion**.
 - The new KPI requires that 80% of ACTPS staff feel their workplace is inclusive as reported in the 2025 ACTPS Staff Survey.
 - 2021 Staff Survey results showed that 70% of respondents consider the ACTPS is an inclusive place to work.
- Developed an internal resource to help directorates evaluate their strategic D&I activity, to drive measurable and meaningful inclusion outcomes.
- Completed a comprehensive review of the Respect, Equity and Diversity Framework (2021, Beyond RED Review). Key findings:
 - Employment targets effectively increase workforce diversity for ACTPS,
 - D&I data collection needs improvement,
 - Good quality and accessible staff education and awareness will drive change,

- More evaluation of D&I activities is needed to drive deeper change and progress.

Key Insights: 2021 Staff Survey

- Analysis showed a range of different workplace experiences across diversity groups.

	ACTPS AVG	APS ¹ AVG	People with Disability	LGBTIQA+	Aboriginal and Torres Strait Islander	Over age of 60 yrs.	Culturally and Linguistically Diverse (CALD)
Engagement	82%	83%	79%	82%	86%	85%	88%
Satisfaction	76%	75%	68%	73%	76%	83%	81%
Commitment & Loyalty	68%	70%	63%	66%	68%	73%	77%

- **People with disability** responded less positively than average to survey questions.
- **Aboriginal and Torres Strait Islander** staff responses were consistent with the ACTPS average on key indicators of engagement, satisfaction, and commitment/loyalty, however are generally more dissatisfied than average with inclusivity practices.
- People under 30 years of age generally responded more positively, while people over 60 years often feel a greater attachment to their organisation and have a more positive outlook on customer service culture.
- People with CALD backgrounds responded more positively than average overall.

Next Steps: Ensuring the Service is Progressive & Inclusive

- \$3.3m over the next four years will be offset from directorates' existing funding to ensure the service continues to be progressive and inclusive. The funding will support strategic improvement, program and resource development such as:
- **FORWARD LEARNING STRATEGY:** Developing a forward leaning, whole of Government D&I strategy bringing out employment targets and evidenced base together.
- **MORE EDUCATION RESOURCES:** Creating shared education resources and a central information hub to build stronger linkages and help reduce duplication across ACTPS.
- **TARGETED PROGRAMS:** Expanded employment programs that engage diverse talent and assist career development (such as Vocational Employment Programs, CALD SES Mentorship, internship for women in male dominated industries); and
- **SOUND EVALUATION:** strengthened evaluation and reporting capability that is backed by contemporary data. This will support evidence-based decision making and

¹ Australian Public Service data from 2020 provides a comparative benchmark for ACTPS performance.

provide quality assurance standards for all D&I programs to ensure the ACTPS is on track to deliver meaningful D&I outcomes.

Portfolio/s: Chief Minister
 Chief Minister

Budget Estimates Hearing – ACTPS Graduate Program

Program Year	2017	2018	2019	2020	2021	2022	2023
Graduates at Program commencement	38	50	43	42	72*	65**	97 <i>(Projected based on current nominations)</i>

* Including 14, 2021 Talent Bank graduates

** Including 5, 2022 Talent Bank graduates

Key message:

- The ACT Government Graduate Program provides an important talent and capability pipeline for the Service.
- The program has undergone significant growth over the last 2 years, resulting in a 131% increase in graduate cohort numbers since the 2020 intake.
- This year, the ACTPS Graduate Program moved into Australia’s Top 100 Graduate Employers (by Prosple).

Key progress in 2021-22:

2022 Graduate Program

- 65 graduates joined the ACTPS on 31 January 2022, 52% from the ACT and 48% from interstate (including local NSW areas). This data is consistent with a long-standing trend across previous ACTPS graduate cohorts.
- 72 nominated roles were requested by the business for the 2022 Program. 118 graduates were offered and opportunity, and 65 of graduates accepted their opportunity.
 - This represented an overall offer decline rate of 45%, reflecting the highly competitive graduate talent market.
- During the program graduates experience 3 rotations in different roles within their qualification stream.
- Graduates also undergo a tailored Learning and Development Program (Emotional Intelligence, Hybrid Working, Collaborative Working, Key Processes in Government, Aboriginal and Torres Strait Islander Cultural Awareness, Project Planning, Essential Writing Skills, Resilience and Change, Performance Feedback and Development, and ‘Career Brilliance’.)
- 100% (65) graduates are on track to successfully complete the 2022 Program.

2023 Graduate Program Recruitment

- The organisational demand for graduate talent has increased significantly over the past 2 years, in parallel with a competitive talent market.
- As of end July 2022, 97 nominations for the 2023 Graduate program have been received from business areas, representing a 35% increase in graduate positions from 2022.
- Almost 700 applications have been received for the 2023 Program. This represents approx. a 29% reduction from previous years.
 - However, this reduction is not substantial in comparison to other sectors. Colleagues in APS indicate some Departments have experienced up to a 50% decline.
- External data analysis of the broader graduate talent market suggests declining application numbers observed across the market may be driven by factors including:
 - Reduced numbers of finishing graduates post-COVID,
 - A trend in graduates seeking roles close to home rather than interstate, and
 - Shift of available graduates to specialised and high end competitors (private enterprise)
- Despite the tight talent market, analysis suggests the program remains competitive amongst public sector graduate programs, offering the highest graduate salary in the Australian public sector and a compelling employee value proposition receiving positive feedback from prospective graduates during the marketing campaign.
- Offers of employment will be made in September 2022, in alignment with offers released by other major competitors, including the APS.
- We will again look to use the Talent Bank concept to employ every suitably-rated graduate who has a degree which aligns with the work of the service.

Graduate Talent Bank Program

- In 2021, The ACT Government Graduate Program launched a new flexible youth employment program designed to leverage the Graduate program recruitment process. The Talent Bank Program utilises Youth Support Funding to capture additional talent for the ACTPS to meet critical business needs while supporting youth employment in the region.

Program Year	Total Graduate Cohort	Talent Bank Cohort	Talen Bank placement
2021	72	14	100% by rotation 2
2022	65	5	80% by rotation 2 <small>(One remaining Talent Bank graduate to be placed in R3)</small>

- Over the 2021 and 2022 Program years, the Graduate Talent Bank has enabled the Service to flexibly recruit a further 19 successful graduates from the final recruitment pool to address gaps across the service during the following year.

- The Strategy and Transformation Office (STO) provides key development opportunities for Talent bank graduates through at least one rotation.
- During this time graduates are supported to network broadly across the organisation and build core business consulting skills, with specific development sessions including: Working Like a Management Consultant, Setting up a Consulting Project, Managing Stakeholders, Strategic Thinking, Problem Solving, Visual Communication, Developing a Business Case, Change Management and Benefits Realisation.
- The ACTPS Graduate Program Team is investigating additional flexible recruitment options for entry level and graduate recruitment as it remains a priority for the Service

Graduate Program Diversity Demographics

- Historically, the graduate program has successfully attracted a diverse cohort of skilled graduates to join the Service in support of our equally diverse Canberra community.
- Anecdotal feedback from graduates suggest this focus on diversity and inclusion has become an important component of our Graduate employee value proposition.
- As the Program has historically struggled to attract ATSI applicants, a tailored ATSI EVP and marketing approach was specifically designed for the 2023 graduate intake. The 2023 applicant pool includes 6 ATSI applicants going to the Virtual assessment centres, the highest recorded number of ATSI applicants to the Program.

Graduate Diversity Demographics	2021	2022	2023 <i>As at 1 August – ie. applicants shortlisted and invited to Virtual Assessment Centre.</i> <i>% as a proportion of total applications invited to assessment centre.</i>
Female	50 (69%)	35 (54%)	N/A
Male	22 (31%)	27 (41%)	<i>Gender identification data is not collected at application stage. This data is collected at confirmation of employment (as per past cohort data, left).</i>
Not specified	N/A	3 (5%)	
Aboriginal and Torres Strait Islander	1 (1%)	0	6 (2%)
Person with disability	13 (18%)	9 (14%)	22 (7%)
Cultural and Linguistically Diverse	18 (25%)	17 (26%)	74 (25%)
LGBTIQ+	13 (18%)	12 (18%)	41 (14%)
Former ADF members	2 (3%)	1 (1%)	1 (0.3%)
Total identifying as diverse <i>% as a proportion of overall cohort</i>	47 (65%)	39 (67%)	NA <i>Cohort not yet confirmed</i>

Note: All percentages are rounded to nearest whole number.

Portfolio/s: Chief Minister

Chief Minister

Understanding the Nature and Extent of Systemic Racism in ACTPS Workplace Settings

Key Information

- The ACTPS is working towards having a better understanding of the nature and extent of systemic racism in the ACT public service.
- The ACT *Aboriginal and Torres Strait Islander Elected Body's* Systemic Racism Working Group is in the preliminary stages of scoping a WhoG Systemic Racism Strategy for the ACT public service.
- Alongside this, the ACT public service is working to minimise systemic racism through four key work streams:

Programs and initiatives

- *Whole of Government learning programs*
 - The ACTPS have recently procured a range of learning programs which will be made available to staff free of charge on *Inclusion* and *Aboriginal and Torres Strait Islander cultural awareness*
 - This complements other programs offered within Directorates such as Unconscious Bias training and other local initiatives such as staff networks and activities under Reconciliation Action Plans.
- *The establishment of the Cultral Transformation Office (CTO)*
 - The ACTPS is establishing the CTO to embed and support workforce programs, ensuring Aboriginal and Torres Straight Islander people have leadership and a strong voice in programs supporting their employment, attraction and retention.
- *Sponsoring a Professional Doctorate student*
 - We have also has sponsored academic research via a Professional Doctorate student to specifically examine the prevalence and nature of Systemic Racism in the ACTPS setting.
 - The student is currently completing his first year of course work and will move into his core research in 2023.
 - The 2021 ACTPS staff survey will provide valuable data to support this work. Key findings from the staff survey for Aboriginal and Torres Strait Islander staff included:
 - One in four staff experienced discrimination (ACTPS average is 1 in 10)
 - One in four staff experienced bullying (ACTPS average 1 in 7)

- 30% of staff do not feel safe to speak up (ACTPS average is 19%)
- *Supporting psychologically safe workplaces*
 - The ACTPS is committed to developing and maintaining workplaces that are psychologically safe for all our workers.
 - Work is underway to strengthen our approaches to build psychologically safe workplaces through the development of guidance, resources and targeted programs to support our workplaces to identify, assess and manage the risks to psychological safety.

Background Information

- During 2020, the Chair of the ACT Aboriginal and Torres Strait Islander Elected Body identified a concern about the nature and extent of systemic racism in the ACT community and public service.
- There is anecdotal evidence about experiences of racism in ACT Government services.
 - The ACT Government has a range of reporting systems that capture reports of bullying and harassment however it is difficult to determine if these reports reflect specific incidences of racism.



INFORMATION BRIEF

Portfolio/s: Chief Minister
Chief Minister

Future of Work

Future of Work Program

- The 2022-23 Budget continues to invest in our Hub and Spoke model of flexible workspaces, providing operational support for flexible work practices across the ACT and establishment of FlexiSpace in Gungahlin.
- Hybrid work combines the benefits of flexibility with the opportunities our office buildings provide for co-location and connectedness.
- We are empowering individuals and teams to make decisions about flexibility that suit their local level operational and personal needs.
- We are ensuring high levels of WH&S controls are in place in all of our workplaces to minimise risk.
- A focus on flexibility a key consideration in Enterprise Bargaining.
- Bringing people together in FlexiSpaces across Canberra's town centres with a focus on group collaboration, innovation, learning and connection.
- Leading and managing teams for hybrid work being incorporated into ACTPS inductions, the ACTPS Graduate Program and SES leadership development, complementing a range of support resources for managers and employees.

Wayfinding

- Technology is a key enabler for flexibility. Serraview Engage now fully implemented at 220LC and 480NBA, and will be rolled out across all Hub and Spoke spaces.
- 4070 active users who can book a desk, expected to increase as people return to the office more frequently.
- Provides insights into workplace behaviour and use of our physical spaces, helping optimise leased space and informing future flexible work decisions.

FlexiSpaces

- We are implementing FlexiSpaces in each of our town centre locations.
- These enable staff to work closer to home, empowering people to balance their professional responsibilities with their personal commitments and lifestyles.
- It also presents the opportunity to reduce pressure on our roads during peak periods and phases of major infrastructure growth, and provide economic benefits to Town Centres.



INFORMATION BRIEF

Timing:

- FlexiSpaces at Scollay St and NCH are expected to be delivered in Q2 and Q3 2022/23 respectively.
- Nara FlexiSpace October 2022.
- Gungahlin (Winyu) in 2023/24
- Conversion of existing spaces in 480NBA (Dickson), 220LC (Civic) and Cosmo (Woden) thereafter.

Nara Innovation Centre

- Establishing a dedicated Innovation Centre on L2 Canberra Nara Centre.
- More than 1000m² of purpose-built workspace to support innovation, collaboration, training and learning, available for use by all areas of ACTPS.
- The Innovation Centre has a capital budget of \$5.2m.
- Construction is currently underway, expected completion October 2022.

220 London Circuit Mezzanine family friendly space

- A family friendly, flexible workspace for use by ACT Government staff, new collaboration spaces and Executive Boardroom, and a new Cabinet Room, opening August-September 2022.
- The Cabinet Room will adhere with Zone 4 Commonwealth security requirements and enable access to the Federal Government's Ministerial Cabinet Network (MCN).
- Identified during COVID-19 Health emergency that the ACT Assembly lacked adequate facilities to host and actively participate in National Cabinet.
- New funding was provided in the 2021-22 ACT Budget for a family friendly workspace and meeting room amenity for the ACT public service which will allow greater flexibility for ACT Government staff.
- The family friendly workspace was designed to enable staff to bring their children to work and increase the flexibility of our office environment.
- The space contains parenting rooms and play spaces for children along with bookable meeting facilities to support increased diversity and workforce caring responsibilities.

Portfolio/s: Chief Minister
 Chief Minister

ACTPS Veterans' Employment

	2017	2018	2019	2020	2021	2022
Number of Veterans in ACTPS employment	102	115	131	189	241	278
Percentage growth in veteran employment year on year	-	13%	14%	44%	25%	15%

Table 1: Veterans' Employment Data

Key message:

The ACTPS implemented the Veterans' Employment Strategy in 2017 and we are seeing results – our data shows that Veterans are attracted to and thriving in the ACT Public Service. Veterans now represent 1% of our workforce.

Key progress in 2021-22:

- **Soldier On Gold Pledge Partnership** was awarded to ACTPS in May 2022.
- **ACTPS Veterans' Employment Executive Champions** network expanded. Champions are now established in:
 - ACT Health Directorate
 - Chief Minister, Treasury and Economic Development Directorate
 - Emergency Services Agency in Justice and Community safety Directorate;
 - Community Services Directorate
 - Transport Canberra and City Services Directorate
- **Ongoing representation at ADF Transition Seminars.** During these events, ADF personnel looking to transition out of Defence Services can meet ACTPS representatives who provide information and support on how to apply for ACT Government jobs.
 - At the last face to face seminar in May 2022, around 60 ADF personnel engaged directly with ACTPS representatives and feedback was positive.
- **ACTPS Veterans' Peer to Peer Networking Initiative** will launch shortly. This program will provide opportunities for cross pollination of ideas and innovation and support veterans' health and wellbeing.

Key Insights

- 278 ACTPS employees are Veterans (1% of the total workforce)¹.
- Numbers of Veterans in ACTPS employment has grown continuously since the ACTPS launched the Veterans' Employment Strategy in 2017.
- This highlights the highly skilled and transferrable capabilities Veterans bring to the Service.

Next Steps: Ensuring the Service is Progressive & Inclusive

- \$3.3m over the next four years will be offset from directorates' existing funding to support a range of ACTPS D&I programs, including ongoing Veterans' employment activities, by:
 - Continuing a focus on growth of workforce diversity across the service through entry programs eg. Vocational Employment Programs,
 - Leveraging our current high rates of diversity through targeted and strategic work programs that support further inclusion across the workforce (eg. gender equity; CALD leadership diversity), and
 - Strengthening and balancing our strategic D&I platform with more impactful educational tools, resources and information to drive improved inclusion outcomes across the workforce.

Background Information

- The ACT Government Veterans' Employment Strategy (the Strategy) aims to make the ACTPS a leader in the recruitment and retention of Veterans and their families.
- In 2020, the ACTPS was awarded the 2020 Veterans' Employer of the Year for Public Sector Organisations in the Prime Minister's Veterans' Employment Awards.
- Dedicated Veterans' Employment website includes advice about beginning a career in the ACTPS. <https://www.act.gov.au/veterans/employment>.
- Soldier On recognised the ACTPS' significant achievements in supporting Veterans' employment by awarding Gold Pledge Partner status in May 2022.
 - The Soldier On Pledge is a voluntary standard that enables participating organisations (Pledge Partners) to signal their support for current and ex-serving ADF personnel and their families by creating Veteran-friendly workplaces.

¹ Veterans are former Members of the Australian Defence Force (ADF)

Portfolio/s: Chief Minister

ACTPS Executive Leadership and Talent

Talking points:

- A range of development opportunities are available to ACTPS executive leaders via their Directorate or Whole of Government offerings.
- The ACTPS is committed to supporting executives to fulfill the responsibilities they have now, while ensuring we build the leadership capabilities needed by the service and community into the future.
- In mid-2021, Strategic Board endorsed a program of work and associated funding to drive a strategic approach to whole of service executive leadership development.
- In 2021-22, we designed and delivered:
 - A new SES Induction program (2 cohorts delivered in 2021-22)
 - SES Career development and associated SES mobility
 - Whole of service SES Leadership Development program, initially for Band 1s across the ACTPS
 - A refreshed SES Speaker Series (1 event delivered in 2021-22)
- In 2022-2023, programs will be expanded to include include:
 - Band 2 leadership development – design and delivery
 - ‘Annual Refresh’ of SES accountabilities
 - Review of current leadership development offerings available to SOG-A managers
 - Initial work to review leadership development offerings and opportunities for SES Band 3 officers.
- Participation in external programs, such as ANZSOG and IPAA, continues with relevant programs (eg. Exec MPA; Exec Fellows Program) co-funded by central leadership development fund and Directorate contributions.

Funding

Funding for this program of work is via cost-recovery from Directorates:

- \$665,000 in 2021-22
- \$703,000 in 2022-23.

Key Information:

- Band 1 program very cost-effective per participant (25% of comparable external program cost).
- Initial evaluation is very positive. Band 1 program – 100% of participants found relevant; 93% would recommend it.

Background Information:

- Nil

Learning and Development

Key information

The ACTPS invests to ensure learning opportunities are available to all ACTPS staff. Opportunities range from short, no cost e-learnings, specific profession-based certifications, to formal qualifications. There is something for everyone.

Centralised Program

There are a number of centrally funded development programs managed on behalf of the ACTPS by WCAG. These programs support the ACTPS' diverse workforce to grow their careers and learn how to contribute to inclusive workplace cultures.

In 2021-22, the ACTPS provided focused career development opportunities for Aboriginal and Torres Strait Islander Staff and staff who are People with Disability. These opportunities included:

- a. The Vocational Employment Program for Aboriginal and Torres Strait Islander people (ACTPS Directorates, 10 participants),
- b. The Vocational Employment Program for People with Disability (in partnership with JACS, 2 participants).
- c. The Walking in Two Worlds Talent Management Program (Coolamon Advisors, 6 Participants),
- d. The Public Sector Management Program (QUT, 13 participants),
- e. Neurodiversity Pilot Program (in partnership with Specialisterne Australia and CSD, 1 participant), and
- f. The Future Shapers Program (Disability Leadership Institute, 4 participants).

Opportunities by Diversity Group	2021-22¹
Aboriginal and Torres Strait Islander participants	23
People with Disability participants	13

¹ Participant numbers include those who completed the program in 2021-22 but may have commenced study in the previous financial year.

e-Learning for Diversity and Inclusion

- ACTPS provided access to eLearning for all staff aimed at strengthening workplace inclusion and supporting Aboriginal and Torres Strait Islander cultural awareness.

E- learning Course	Total staff completed learning in 2021-22
SBS Core Inclusion - includes Unconscious Bias Training Module	853
SBS Aboriginal and Torres Strait Islander Cultural Awareness - includes: myth busting, family and kinship, impacts of colonisation and Stolen Generations, working together, moving forward, celebrating success.	2138

- Additionally, an extended range of inclusion e-learning topics have recently been made available to all staff:

Continued Inclusion e-learning Courses (SBS)	New Inclusion Courses available from 15 June 2022 (SBS)
<ul style="list-style-type: none"> ○ Core Inclusion ○ Aboriginal and Torres Strait Islander Cultural Awareness 	<ul style="list-style-type: none"> ○ Disability Awareness ○ LGBTIQ+ Awareness ○ Age Awareness ○ Gender Equity ○ Cultural and Linguistic Diversity ○ Appropriate Workplace Behaviour

- The format is engaging and easy-to-understand, delivered as short films, animations and interviews featuring real stories from a diverse range of people.

A single Learning Management System

- The implementation of the Human Resources Information Management System (HRIMS) Learning system late April 2022 has seen all Learning for ACTPS staff centralised in the one integrated system for all staff.
- Directorates can now create curricula for their staff, pushing suitable learning content to their staff to address any identified learning needs.
- Additionally, staff have a wide range of learning options to choose from that match their interests, career goals and skills development needs.
- Directorates can now create curricula for their staff, pushing suitable learning content to their staff to address any identified learning needs from both their directorate's own learning library or the WhoG learning library.

Ethics and Accountability

- There is significant amount of training which contains ethics and accountability content available to the ACTPS in the WhoG Learning Library.
- WhoG Learning is delivered through a range of channels including face-to-face, virtual and e-Learning Delivery options.
- In the 2021-22 financial year there were 32 face-to-face courses delivered with ethics and accountability content with 150 participants developed.
- Additionally, 10 e-learning modules available with 2810 staff completing the training.
- Most directorates **also** have their own general awareness and induction e-learning modules that also cover ethics and accountability. With the introduction of the HRIMS Learning platform the nuanced, directorate specific training is allocated to staff by their Learning and Development teams as a preference to the Whole of Government modules.

Portfolio/s: Chief Minister
 Chief Minister

ACTPS Gender Equity

Key message:

The ACT Public Service Gender Pay Gap has decreased during the last reporting period, driven by an increase in women in leadership roles. Gender Equity is a high priority workforce focus for 2022-23.

	2017-18	2018-19	2019-20	2020-21	2021-22
% of ACTPS, women	65.2%	65.4%	64.8%	65.0%	65.1%
% of SES, women	46.1%	52.5%	51.8%	53.0%	55.9%
% of Senior Officers, women	54.8%	55.8%	56.7%	57.3%	58.6%
ACTPS Gender Pay Gap	2.3%	1.5%	0.9%	0.8%	0.5%
% of women who work part-time	32%	32%	31%	31%	30%
% of men who work part-time	13%	13%	14%	14%	14%

- 34.8% of ACTPS staff are men and 0.1% are non-binary people¹

Key Progress in 2021-22

- The overall Gender Pay Gap in the ACTPS is 0.5%. This means the average earnings of women are slightly lower than those of men.
- This is compared with:
 - 7.9%² Gender Pay Gap across the ACT labour force
 - 13.8%³ Gender Pay Gap in the Australian labour force
- Increased representation of **women in leadership** has driven the narrowing gender pay gap over the last year with **women now comprising 55.9% of the ACTPS Senior Executive Service**.
- [Normalisation of part time working for all genders is a powerful tool to strengthen gender equity](#) and in the ACTPS, over the last five years, more men are choosing to work part time, and the higher number of women working part-time is slowly decreasing.

Key Insights: 2021 Staff Survey Deep Dive

¹ Non-binary is used respectfully as an umbrella term describing gender identities that are not exclusively male or female.

² [Data source: ABS \(2022\), Average Weekly Earnings, November 2021, cat. no. 6302.0](#)

³ Workplace Gender Equity Agency: [Australia's Pay Gap Statistics February 2022](#)

- Deep-dive analysis from the 2021 ACTPS Staff Survey indicated some areas of future focus for ACTPS Gender Equity:
 - Men and women in the ACTPS have similar levels of engagement, satisfaction, and commitment/ loyalty;
 - More women than men experience time pressure and competing responsibilities as a main cause of work-related stress.
 - Fewer women are satisfied with their work-life balance than men (68% compared with 70% of men).
 - Non-binary people responded less positively on key indicators of satisfaction and commitment/loyalty. Responses also indicated more negative experiences of inclusion at work than average.

Next Steps: Ensuring the Service is Progressive & Inclusive

- **\$3.3m over the next four years** will be offset from directorates' existing funding to deliver a range of ACTPS D&I programs, including activity such as:
 - Scoping a new Internship for women in male-dominated roles, or
 - Free Gender Awareness and Appropriate Workplace Behaviour e-learning through the ACT's online learning platform.
- **An ACTPS Workforce Gender Equity Strategy is being developed:**
 - The strategy will detail requirements for larger Public Service Entities to have Gender Action Plans as per commitments in the Parliamentary and Governing Agreement (PAGA) for the 10th ACT Legislative Assembly.
 - Annual Report Directions legislation will be amended in 2022–23 require larger reporting entities to report on gender action plans.
 - A consultation draft has been prepared, drawing on current data and evidence. Stakeholder consultation including ACTPS Directorates, the ACT Office for Women and ACT Unions will commence later in 2022.
- **National Cabinet are undertaking work on a nationally consistent reporting framework for Measuring Progress of Women's Economic Security.**
 - WCAG and the Office for Women are working jointly to progress the ACT Government's contribution to this enhanced reporting scheme.

Portfolio/s: Chief Minister
Chief Minister

Innovation in the ACTPS

Key Information

- Innovation is one of the key values and foundations of the ACTPS.
- Innovation in the ACTPS means actively seeking out new and better ways of achieving outcomes for Government and the Canberra Community.
- It means empowering our people, at all levels, to raise new ideas, try out different ways of doing things, and create the environment for considered engagement with risk.
- In our 2021 ACTPS Staff Survey, 59% of staff indicated they believe their organisation promotes innovation and creativity. 18% responded negatively and the remainder were neutral.
- Our 2022 ACT Public Service Awards show that there is no shortage of innovation occurring across the Service. There were around 40 nominations in this category from across the service.
- What this tells us is people are engaged and keen to work together and find even better ways to deliver great services to the Community.

Future Plans

- One of the initiatives we have introduced is a stronger focus on creating the leadership capability and space to drive collaboration, innovation and creativity.
- Our ACTPS Centre for Leadership and Innovation shapes the way we undertake leadership development and ensures those in senior, influential roles are supporting the service into the future by – for example – creating the conditions for innovation.
- Additionally, the Centre will utilise a purpose built physical learning and collaboration space in the Nara Centre, and commits resources to facilitate bringing people together from across the ACTPS to learn, nurture ideas into policies, products and services that put our community at the centre of everything we do.

ACT Public Service Awards

- There were around 40 nominations in this category from across the service. Two highlights
 - **Flexible Work** - The flexible work program started in 2015 and since that time the ACT Public Service has moved in iterative steps to build a work environment that improves well being and gives you back time.

- The success of the flexible work program brings together design, data, technology, learning and evaluation.
- As a result, the ACT is considered one of the most progressive jurisdictions in Australia for flexible and hybrid work and many look to us to learn how to progress their own hybrid work agendas.
- **Canberra Script** To help improve the safety of patients and reduce the risk of harmful patterns medicine prescription and use, a real time prescription monitoring service Canberra Script was developed by ACT Health Directorate.
- This innovative technology means that both prescribers and pharmacists can be notified immediately of any concerns are identified by the system.

Portfolio/s: Chief Minister
Chief Minister

Integrity Commission Update

Talking points:

Integrity Commission Proposals

- In its 2020-21 annual report the ACT Integrity Commission (Commission) published:
 - 36 proposed amendments to the IC Act
 - including telecommunication interception powers.
 - Of the 36, 19 proposals were put forward in its 2019-20 annual report.
 - 4 proposed amendments to the *Public Interest Disclosure Act 2012*.
- On 25 April 2022 the Chief Minister wrote to the Speaker requesting the Legislative Scrutiny Committee (Committee) undertake an inquiry of the Commission's proposed amendments.
- The Committee declined stating it could duplicate work of the upcoming review.
- The IC Act requires the responsible Minister, in consultation with the Speaker, to review the operation of the IC Act as soon as practicable from 1 December 2022.

Speaker's Bill – Integrity Commission Amendment Bill 2022

- The Government is preparing a position on the Speaker's Bill.
- The Bill appears largely non-controversial and seeks to formalise within the IC Act the existing process to handle Assembly information for parliamentary privilege claims.

ACT Public Sector Integrity Framework

- 23 May 2022 - revised ACTPS Integrity Policy and Framework launched to ACTPS
- The suite of policies includes the
 - Integrity Framework,
 - Integrity Governance Policy,
 - Code of Conduct 2022,
 - Decision Maker's Handbook,
 - Checklist – Good Governance in the ACTPS.

Key Information

ACT Integrity Commission Public Statements

- **22 February 2022:** media release calling on building tenderers to report suspected improper conduct in ACT Government procurement processes.

- **23 February 2022:** Commissioner Adams stated that “the main focus, of course, is the procurement area because the Auditor-General’s very thorough report identified problems which, as we state or at least imply in the release, are likely to be endemic.”
- **23 June 2022:** media release announcing investigation regarding consultancy contracts by the CIT to ThinkGarden and Redrouge Nominees Pty Ltd.

Jurisdictional Integrity Scans

- **Queensland:** 31 January 2022 Parliamentary Crime and Corruption Committee recommended Commission of Inquiry into aspects of the Crime and Corruption Commission (CCC)
 - The inquiry will review the investigative and charging powers of the CCC, as well as the role of seconded police officers.
 - The Hon Tony Fitzgerald AC QC was appointed Chair, and retired Supreme Court Judge the Hon Alan Wilson QC was appointed Commissioner for the inquiry.
 - A report is expected by 9 August 2022.
- **Victoria:** 10 February 2022 announced a Committee inquiry into integrity agencies’ management of witness welfare and others involved in agency investigations.
 - Public hearings were held in May 2022. A report is yet to be finalised.

Background Information

- Establishing an independent Integrity Commission was part of the Parliamentary Agreement for the Ninth Legislative Assembly for the Australian Capital Territory.
- The agreement committed the Government to establish:
 - an independent Integrity Commission,
 - broadly structured on those operating in similarly sized jurisdiction,
 - following an inquiry into the most effective and efficient model for the ACT.
- The Legislative Assembly established two select committees;
 - the Independent Integrity Commission (dissolved on 31 October 2017) and
 - the Independent Integrity Commission 2018 (dissolved 31 October 2018).
- Each select committee conducted its own inquiry under TOR including consideration of:
 - human rights, and
 - produced final reports.
- The Committees received 48 submissions from interested parties, including
 - the Australian Federal Police and ACT Policing,
 - ACT Human Rights Commission,
 - ACT Audit Office,

- the Office of the Legislative Assembly,
- the Community and Public Sector Union,
- the ACT Law Society,
- the ACT Bar Association, and
- the ACT Ombudsman.

The Committees also:

- Conducted seven days of hearings.
- Received 8 responses to questions on notice.
- Produced two reports, each receiving a government response.

Portfolio/s: Chief Minister

Industrial Relations and Workplace Safety

33. Workplace Values and Behaviours

Talking points: (key points highlighted)

- The Public Standards Unit (PSU) supports the functions of Public Sector Standards Commissioner (PSSC) in providing administrative and investigative support for misconduct processes across the ACT Public Sector (ACTPS).
- During 2021-22, 87 misconduct processes were commenced by the ACTPS.
 - 81 were commenced by the directorates and 6 by other public sector entities.
- Misconduct processes decreased by 11% in 2021-22 as compared to previous financial year across the ACTPS.
- Of the 87 misconduct processes commenced,
 - 70 were investigated by the PSU,
 - 12 matters were referred to external services (up from 9 last year), and
 - 5 admission statements were handled internally by directorates without requiring investigations.
- The PSU completed 64 reports for delegates while external services completed 4 reports.
- The PSU has refined its investigative practices and processes,
 - nearly 80% of investigations completed in an average of 86 workdays when delays beyond the control of the PSU are taken into account.
 - some matters had significant delays resulting in
 - the total average time taken to complete investigations, 116 workdays
 - decrease from 122 workdays last reporting period.
 - However, if the delays beyond the control of the PSU are taken into account
 - the average time taken for an investigation, is 106 days compared to 115 days in the previous year
- the most common allegations referred for investigation were:
 - Generally consistent with previous years including:
 - inappropriate behaviour including lack of courtesy and respect,
 - a reduction of 11% in inappropriate behaviour misconduct from last year (from 44 to 39);
 - failure to perform one's job with reasonable care and diligence,

- 7% reduction in public servant's failing to undertake their job with reasonable care and diligence from last year (from 27 to 25);
- bullying or harassment;
 - 16 matters same as last year
- lack of honesty or integrity; and
 - 27% increase from last year from 11 to 14
- failure to follow written or verbal direction.
 - 33% increase (from 9 to 12)
- **Emerging trends in alleged misconduct included**
 - creating an unsafe work environment (8),
 - violating COVID 19 related protocols (7), and
 - not disclosing outside employment (3).

Breakdown of the outcome of the complaints

- Of the 87 misconduct matters reported to the PSSC as commenced during 2021-22, the following outcomes have been reported:
 - 25 matters remain in progress
 - 7 resigned or ended employment prior to completion
 - 12 withdrawn or not accepted
 - 6 matters found misconduct was not substantiated or no breach found
 - 37 matters found misconduct was substantiated.
- Where an employee resigns during a misconduct investigation the PSSC has the authority to determine whether the investigations should
 - continue or stay the process and
 - re-commence if the employee subsequently seeks to re-enter the service.

Sanctions imposed

- Of the 37 matters where misconduct was substantiated, the sanctions imposed – noting multiple sanctions can be imposed by a delegate relating to a single misconduct finding – are:
 - Letter of reprimand only: 1
 - Written Reprimand: 8
 - Respondent is currently on ISL awaiting return in term 3 to deliver final sanction. (written reprimand): 1
 - Written reprimand and transfer at level (or equivalent): 1
 - Written reprimand with redundant increment: 1

- Transfer to a position at level: 2
- Counselling or training included in sanction: 1
- Termination of employment or contract not renewed or voluntary redundancy: 6
- Response to proposed finding currently being considered by delegate: 15
- Pending current appeal to covenant of appeals: 1
- No sanction imposed by delegate: 3

Appeals:

- During FY 2021-22, only 2 matter was referred to appeal, but one was not accepted and dismissed and the other is pending for approval .

Commissioner complaints:

- During FY 2021-22, the PSSC received:
 - 19 complaints, with 9 matters pending as at 30 June 2022.
 - 7 complaints were closed after assessment or investigation in an average of 42 calendar days after receipt.
- The HoS introduced a renewed ACTPS Integrity Framework in 2021-22 to strengthen integrity and governance across the ACTPS.
- The PSSC introduced a renewed Code of Conduct for the ACTPS as part of the Integrity Framework
 - It included enhanced information about actioning the ACTPS Values and Signature behaviours
- This Framework outlines how ACTPS employees make decisions, behave appropriately, and ensure the reputation of the ACTPS is maintained. Including:
 - The ACTPS Integrity Governance Policy
 - assess integrity risks and provides guidance on the development of appropriate policies and processes to strengthen integrity.
 - An updated ACTPS Code of Conduct 2022
 - to help embrace the key values and behaviours in discharging ACTPS responsibilities, and in shaping ACTPS culture.
 - The Decision Makers Handbook and Governance Checklist
 - to enhance the good governance where systems and structures need to be supported by effective leadership and organisational culture.

Portfolio/s: Industrial Relations and Workplace Safety

Silica safety and associated regulations

Talking points:

- The serious health impacts of exposure to silica dust demand a strong legislative response.
- That is why our Parliamentary and Governing Agreement includes a commitment to *introduce stronger workplace regulations to protect tradespeople who are exposed to silica dust.*
- The Government has already made a number of changes to silica safety laws and anticipates making more later in 2022.
- Changes already made include:
 - mandating training in silica awareness for workers whose jobs put them at risk of silica exposure or involve working with silica products – with all such workers needing to be trained by July 2023; and
 - banning the uncontrolled dry cutting of engineered stone
- Changes anticipated later in the year include improvements to air and health monitoring rules.
- The ACT is also contributing to work being led by SafeWork Australia, to improve national safety arrangements for silica dust.

Uncontrolled dry cutting ban – temporary exemption delays commencement

- On 14 July 2022 a ban on the uncontrolled dry cutting of engineered stone commenced in the ACT.
- Under the ban, where engineered stone is cut by mechanical means, water suppression and other specified safety precautions must be used.
- The ban was also planned to apply to the dry cutting of natural stone containing silica, concrete and masonry, cement, mortar and bricks from 14 July 2022 - however

- the WHS Regulator has implemented **a three month exemption** from the prohibition on the dry cutting of natural stone containing silica, concrete and masonry, cement, mortar and bricks;
 - this is to allow industry additional time to make necessary changes to their work plans and processes.
- The regulator is also considering submissions from industry that call for the exemption to be made permanent for some tasks that they do not believe can be practicably performed using water suppression.
- The design of the uncontrolled dry cutting ban was informed by consultation with ACT stakeholders including the ACT WHS Council and also by ACT safety guidance which has been issued by the work safety regulator.

Portfolio/s: Chief Minister
Industrial Relations and Workplace Safety

Dhulwa Mental Health Unit Inquiry

Talking points:

- On 2 May 2022, the Minister for Mental Health announced an independent inquiry into the legislative, workplace governance and clinical frameworks at the Dhulwa Mental Health Unit.
- On 31 May 2022, Ms Barbara Deegan, a former FairWork Commissioner, was appointed to Chair the inquiry.
- Work of the Inquiry commenced in the week beginning 27 June 2022.
- The Chair has:
 - written to stakeholders and publicly invited submissions. Written submissions closed on 7 August 2022;
 - to date, the Inquiry has received over 60 submissions;
 - conducted 50 meetings with stakeholders (including individual and group meetings with current and former staff, unions and various other stakeholders); and
 - conducted site visits within the ACT, Victoria and NSW with stakeholder meetings ongoing.
- The work of the inquiry is ongoing.
- The preliminary report is expected to be delivered in September 2022.
- The final report is expected to be delivered in October 2022.

Background Information

- The inquiry Terms of Reference provide that the Chair would be supported by a member with expertise in forensic mental health and a member with expertise in work health and safety.
- Ms Barbara Deegan is a highly credentialed public sector employment and workplace relations advisor who is recognised for her skill in conducting complex and sensitive workplace investigations. Ms Deegan served as a Commissioner of the Fair Work Commission and its predecessors from 1996 to 2014 and as a Commissioner of the Tasmanian Industrial Commission from 2010 to 2014.
- Dr Tessa Maguire has been appointed to the inquiry as a member (expert Advisor) in forensic mental health. Dr Maguire is a Senior Lecturer in Forensic Mental Health

Nursing with joint appointment with the Centre for Forensic Behavioural Science Swinburne University of Technology, and the Victorian Institute of Forensic Mental Health (Forensicare).

- Ms Rebecca Parton has been appointed to the inquiry a member (expert Advisor) in workplace health and safety. Ms Parton is a senior ACT Public Servant from CMTEDD with extensive knowledge and practical experience implementing work health and safety approaches, workplace injury and workers compensation matters and industrial relations.

Portfolio/s: Industrial Relations and Workplace Safety

Education Directorate WHS matters

Talking points:

- Workplace Safety and Industrial Relations are supporting the Education Directorate to address work health and safety issues raised by WorkSafe ACT and reported in recent media.
- We are providing work health and safety knowledge and expertise, as well as staffing resources.
- Whilst there is significant focus on the systems and process to identify and address the risks of occupational violence in our schools, we are also working with Education Directorate to ensure that their work health and safety management systems are fit for purpose.
- Education is continuing to see a rise in compensable cases of musculoskeletal and psychological injury. Our Injury Management Team is working with Education to:
 - ensure that the workers' compensation claim process is commenced as soon as possible and a clear pathway for recovery and return to work is established and
 - support workers to return to work in a safe and timely manner, providing the connection with work that is so important for successful outcomes following work injury.

Background Information

- The Safe at Schools Taskforce Advisory Group will meet for the first time on 11 August 2022. The group, chaired by Jane Simmons, Executive General Manager, Education, includes membership from the Australian Education Union, Parents and Citizens ACT and the Education Directorate.
- Education have engaged an external consultant to undertake a review of the work health and safety management systems across 15 ACT schools. This review is currently underway and will inform priority actions to address the work health and safety issues that the recent WorkSafe ACT reviews have raised as well as informing work to improve their work health and safety systems.

- Education have actions outstanding from the 2020 Comcare WHS Audit. Workplace Safety and Industrial Relations have advised Comcare that the outstanding actions will be addressed by June 2023 and incorporated as part of the Safe at Schools Program work. Outstanding actions relate to currency of their systems and processes, some of which have been highlighted in the recent WorkSafe ACT reviews.

Portfolio/s: Industrial Relations and Workplace Safety

Strengthening WHS audit matters

Talking points:

Work health and safety management system assurance

- The whole of government work health and safety audit and assurance program is one of the ways that we are actively reviewing and improving our work health and safety systems.
- In 2021-22, a major audit has been undertaken with Environment , Planning and Sustainable Development Directorate; and two additional audits, focusing on communication and consultation, and plant and equipment safety have been undertaken with all directorates.
- Corrective action plans have been developed for any areas of non-conformance.
- Audits results are shared across the Service to promote a shared approached to WHS performance improvement.

COVID-19 Assurance

- At the whole of government level we have also taken a risk-based approach to identifying and assessing the health, safety and psychosocial risks of COVID-19, as well as the risks of changed working arrangements such as working from home.
- A COVID Transition policy provides the framework for directorates to manage the risks associated with COVID-19 and we have developed a suite of guidance and resources for directorates and agencies to support them to implement the policy.
- In late 2021, we undertook a COVID assurance program that reviewed the actions that directorates are taking to manage the work health and safety and business continuity risks associated with COVID.
- All directorates demonstrated that they had considered the risks for their workforce and had approaches in place to manage the risks and respond to changing circumstances.

- This review included an external review of the suite of guidance and resources, to ensure that we are meeting our WHS obligations in our response to COVID-19.

Background Information

- The ACTPS Work Health and Safety Audit and Assurance Framework provides a consistent and effective approach to planning, undertaking, reporting and monitoring of WHS assurance activities across the Service.
- The framework incorporates a tiered approach to audit:
 - Tier 1 audits review a single directorate
 - Tier 2 audits review all directorates on a particular topic; and
 - Tier 3 audits are undertaken by the directorates with their business units.
- Every directorate will participate in a Tier 1 audit in this program cycle, 2021-2024. Workplace Safety and Industrial Relations lead the Tier 1 and Tier 2 audits. An external auditor is engaged to deliver the Tier 1 audits.
- The program tools are based on the Comcare National Audit Tool for conducting WHS audits. This tool is used for audits undertaken as part of our workers' compensation self-insurance licence.

Portfolio/s: Industrial Relations and Workplace Safety

Public sector workers compensation performance

Talking points:

- 2021-22 saw major improvements in the performance of the Public Sector Workers Compensation Fund.
- This is continuation of the strong and improving performance achieved since the fund commenced operations in March 2019.
- The financial statement for 2021-22 reflects a reduction in estimated outstanding claim liabilities of more than \$49 million.
- The result has been validated by an independent consulting actuary.
- I am pleased to advise that in 2021-22 this result was driven primarily by better than expected improvements assisting injured and ill people who had been unable to work for an extended period of time to return to safe and secure employment.
- Extended incapacity to work has serious and longlasting negative health, economic and social consequences for the affected individuals and their families. Improving performance in this area was a key government objective that underpinned the decision to establish a self-insurer and our significant investments in return to work and rehabilitation.
- Unfortunately, work related injuries and illnesses are continuing to occur. This is why we are also investing in improved safety arrangements, including a whole of government safety audit regime and new and expanded early intervention services, including in person and online physiotherapy services and workplace mental health initiatives.

Portfolio/s: Chief Minister
Industrial Relations and Workplace Safety

COVID safety in our office spaces

Talking points:

- The ACT Government has been taking a cautious and proportionate response to the COVID-19 pandemic, prioritising both the safety of workers and customers, and ensuring the ongoing availability of services to the Canberra region and community.
- As public health restrictions have eased, the ACTPS has ensured that appropriate, proportionate and effective controls are in place to reduce the risk.
- Over the last 12 months this has included a move to 'hybrid' working arrangements for many workers, where they work where it best suits the needs of their work and their personal circumstances. This may be a combination of working in an ACTPS office and working from home.
- Maintaining COVID Smart practices in our offices is important to not only ensure we are continuing to meet our work health and safety obligations, but also are a key part of our business continuity planning.
- COVID Smart practices in place in our offices include:
 - physical distancing, including spacing of office workstations
 - wearing of masks
 - increased and targeted cleaning protocols
 - promoting hand and respiratory hygiene
 - reminding workers to get tested if they have symptoms and stay home when unwell
 - identifying and managing the workplace response if an exposure occurs; and
 - setting maximum capacities for meeting rooms.
- To support these practices, building pass swipe access data and desk booking technology enable rapid identification of workers who may be exposed to COVID in

the event of that someone who later tests positive to COVID has been in the office during their infectious period.

- COVID safety in our offices, like all our workplaces, is likely to continue for some time. Our business areas are ensuring that reducing the risks of COVID-19 is part of business as usual and considered in all activities and workplaces. Business units are now well placed to respond and adapt our workplace response as the situation changes and as measures to reduce the risk are changed in the community.

Portfolio/s: Chief Minister
Industrial Relations and Workplace Safety

COVID-19 workforce response

Talking points:

Supporting our workforce with work health and safety systems

- The ACT Public Sector has implemented, and continues to implement, a COVID-19 work health and safety framework, with associated guidance and policies.
- The framework is based on the guidance of expert international and national health bodies, SafeWork Australia which is leading the response for workplace management of COVID-19, and the expert health advice of the Australian Government and ACT Health.
- The ongoing whole of government work health and safety response to the pandemic continues to be on two fronts:
 - ensuring risks of exposure to COVID-19 are identified and managed in all workplaces; and
 - supporting the health, safety and wellbeing of territory public servants during their changed working arrangements.
- Public health directions are followed in all ACT Government workplaces.
- Core measures in place across all ACT Government workplaces continue to be:
 - physical distancing, including spacing of office workstations in our office spaces
 - wearing of masks when people cannot physically distance and in indoor spaces
 - identifying and managing the workplace response if an exposure occurs
 - increased and targeted cleaning protocols
 - promoting hand and respiratory hygiene and

- reminding workers to get tested if they have symptoms and stay home when unwell.
- A coordinated whole-of government approach to supporting employee physical and mental health and wellbeing, encompassing communication and engagement activities; resources and support materials; and promotion of targeted programs and initiatives, has been in place since April 2020, is ongoing and adapted to the changing situation.
- Directorates are responsible for making COVID-related decisions for their business and to:
 - consider the availability of workplace flexibility, including working from home arrangements, in the context of their service requirements, and
 - continue to implement and update their business continuity plans, to account for the emergence of new variants and fluctuations in cases including the impact of increased unplanned staff absences due to illness.

Supporting our workforce through our employment framework

- Managers and workers have had access to a range of supports for managing changed working arrangements including:
 - guidance and support for those working from home and managing remote teams
 - guidance on preparing for, and responding to, changing public health directions, including lockdown
 - leave entitlements to encourage workers to take leave when they are unwell or required to isolate and to participate in the COVID-19 vaccination program and
 - guidance for managing flexible working arrangements.
- Processes have been put in place to support workers to be deployed to other areas of the Service when, due to personal circumstances, they are unable to meet the

requirements of the business unit or directorate in managing the COVID risks, such as vaccination or mask wearing.

- Ensuring that people who are unwell do not attend the workplace is a key measure to reduce the risk in our workplaces. Workers have been supported with a range of leave options to ensure that, where possible, they are supported to not attend work if they are unwell or at high risk of getting COVID-19 following an exposure. Workers have access to a limited amount of leave when they test positive for COVID-19 and are required to isolate. This leave does not impact their personal or annual leave arrangements.
- The Government is also committed to ensuring that people have access to COVID-19 vaccination programs. Workers are provided with information about vaccination and encouraged to get vaccinated. Leave or flexible working arrangements are available for workers who are unable to attend a vaccination appointment outside of work hours. Leave is also available for those workers who may experience short term side effects following vaccination and are unable to attend work.
- The Government is also committed to ensuring that workers who contract COVID through the course of their work are supported through leave or workers' compensation arrangements. Processes are in place to reduce the administrative burden of the claims process if a worker submits a claim for COVID contracted in the course of their work.

2022 Workplace Influenza Vaccination Programs

- In 2022, all ACTPS directorates and agencies provided employees with access to influenza vaccinations either through workplace clinics, chemist vouchers and/or reimbursements.
 - Over 10,222 employees received influenza vaccinations through ACTPS programs in 2022.
- Due to the high number of influenza cases in 2022, all directorates and agencies extended voucher and/or reimbursement arrangements.