

- We are aware Wing undertook a substantial program of community engagement upon its commencement of operations in Mitchell and they have committed to continuing this approach in any expansion.
- 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), the steps taken to respond and provide it to the Commonwealth Department of Infrastructure Transport, Regional Development and Communications on a quarterly basis.

Complaints about Wing

- We have been advised by Wing that over 2021, it received 10 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 from a 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 and Communications), will work with the complainant and Wing to develop a resolution wherever appropriate and practicable.

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 and Communications. 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, including in the ACT. Specifically:
 - The Department of Commonwealth Department of Infrastructure, Transport, Regional Development and Communications is responsible for 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 becomes fully operational in the Territory on 1 July 2022.
- In order to allow participating States and Territories additional time to fully transition to AMR, the *Mutual Recognition Act 1992* (Cth) (MR Act) provides that a Minister of a State may declare an occupational registration/activity temporarily exempt from AMR until 30 June 2022.
- On the 28 June 2021, the Chief Minister signed a temporary exemption declaration for 78 registrations. This was amended on the 4 December 2021 and currently 73 registrations are exempt from the AMR Scheme.
- This temporary exemption will automatically expire on 30 June 2022. There is no provision in the MR Act for an extension to temporary exemptions.
- Any further exemptions will have to be declared a significant risk and are for a renewable period of up to five years.
- These can only be based on a significant risk to:
 - consumer protection;
 - the environment;
 - animal welfare; or
 - the health and safety of workers or the public.
- There are currently three occupational licences already in the AMR Scheme in the Territory. These registrations are:
 - architects;
 - commercial pesticide operators; and
 - water drillers.
- The majority of occupational registrations in the Territory are expected to join the Scheme on 1 July 2022.

Talking Points – Budget and Finance

- The 2021-22 Budget Policy Adjustments includes an adjustment to implementation of the Automatic Mutual Recognition Scheme on page 62 as follows:

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
Better Regulation Taskforce	0	917	329	0	0

- This funding is for:
 - resourcing for Access Canberra to operationalise AMR for most occupational licences by 1 July 2022; 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.
- Data, Digital and Technology Services is responsible for delivering a critical program of work to deliver an end-to-end technical solution to support essential information sharing 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 have now been eased under the ACT Government's Pathway Forward.
- 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.

Role of the 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 mediation.
- Since resuming his role in September 2021, Mr Smyth had dealt with over 193 queries from business as at 31 December 2021.

Mediation Services

- The ACT Government has procured professional mediation services, to provide free mediation support services for commercial tenants and landlords to support in good-faith negotiations, from Conflict Resolution Services, a Canberra-based service.
- Commercial tenants and landlords can access mediation by contacting the COVID-19 Local Business Commissioner who will refer the parties to Conflict Resolution Service.
- The ACT Government has allocated \$250,000 for free professional mediation which is accessible by contacting the COVID-19 Local Business Commissioner who will refer parties to Conflict Resolution Service, a Canberra-based professional mediation service.

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 is comprised of industry stakeholders.
- The Committee supported the ending of the third Declaration as planned on 1 January 2022.

Background

Declarations

- The first Declaration: The Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2020 (DI2020-92) was notified on 11 May 2020 and ended on 27 September 2020.
- The second Declaration: The Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2020 (No. 2)(DI2020-283) was notified on 10 September 2020. The second Declaration revoked the first Declaration and took effect from 28 September 2020. The second Declaration expired as planned on 31 January 2021.
- The third Declaration: The Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2021 (DI2021-218) was notified on 1 September 2021 and revoked on 1 January 2022.

'Impacted tenant'

- The first and second Declarations applied to SME commercial tenants that were suffering financial stress or hardship as a result of the COVID-19 pandemic, as defined by qualification for the Commonwealth Government's JobKeeper program (JobKeeper), and which had an annual turnover of up to \$50 million for 2018-2019.
- The third declaration introduced a new test for financial stress or hardship for an 'impacted tenant'. This change was given effect through a new definition of an impacted tenant who is an SME entity; and satisfies the decline in turnover test set out in section 5 of the Declaration.

First Commercial Tenancies Administration Committee

- Renee Leon PSM – Chair
- Alfonso del Rio (Clayton Utz) – Member
- Adina Cirson (Property Council) – Member
- Anthony Brierley (Australian Hotels Association) – Member

Second Commercial Tenancies Administration Committee

- Sam Engele CMTEDD - Facilitator
- Adina Cirson (Property Council) – Member
- Alfonso del Rio (Clayton Utz) – Member

- Angus Nardi (Shopping Centre Council of Australia) – Member
- Anthony Brierley (Australian Hotels Association) – Member
- Graham Catt (Canberra Business Chamber)– Member
- Dominique Lamb (National Retailers Association) - Member
- Sheena Ireland (Canberra Women in Business) – Member

Contracts with CRS

- Under the Contract the cost of services for the initial Contract Term is \$82,162.94 (GST inclusive) for three (3) months from 27 September 2021 to 27 December 2021 with services available five (5) days a week.
- The Contract was extended for a further three (3) months until 27 March 2022 with services being available two (2) days a week, the cost of this Contract Extension Option period will be \$39,994.90.
- The total Contract cost including both the initial Contract Term and first Contract Extension Option period will be \$122,157.84 (GST inclusive).

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 2020-21 financial year have been :
 - working across government to explore the potential for improvements to the Open Access Information portal
 - improve the understanding of records management across ACT Government
 - delivering an online system, *ACT Memory* to support public access to ACT Government archives
 - improving the availability of recordkeeping induction material
 - continuing to work with Digital, Data and Technology Solutions to embed recordkeeping principles into ACT Government systems design

- improving the utility 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 is a shared initiative between the TRO and Shared Services. The TRO received \$1.1m over four years for its part of the initiative.
- 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 used to develop 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.
- There are 7137 users on Whole of Government EDRMS. There is an additional 2498 users on directorate specific instances of Content Manager (TRIM) for a total of 9635 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.

Key Information

- Total funding for the Digital Records budget initiative is \$26.2m over four years.
- 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 two-to-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 information and data capability across ACT Government.

From: [Wilkie, Rachel](#)
To: [Clapham, David](#); [Chesworth, Fiona](#)
Subject: RE: Better Regulation Taskforce - Procurement of Specialist Capabilities
Date: Thursday, 3 March 2022 9:58:17 AM
Attachments: [image001.png](#)
[image002.jpg](#)

OFFICIAL

Hi David and Fiona,

Resending summary information of all procurement of specialist capabilities should you require it.

BRT procurement of specialist capabilities

- [CMN211119](#) - Engagement Planning and Facilitated Workshops - \$61,105 (GST Inclusive)
 - Nous Group
 - Milestone Payments (GST inclusive):
 - \$30,552.50
 - \$30,552.50
- [CMN211399](#) - Legislative Review Program – Phase 1 - \$92,400 (GST inclusive).
 - Proximity
 - Milestone Payments (GST inclusive):
 - \$36,960 – Project Plan
 - \$46,200 – Draft Report
 - \$9,240 – Final Report
- [CMN211159](#) - Business Community Communications Research - \$40,963
 - Faster Horses Consulting
 - Procurement Value GST inclusive - \$40,963
 - B&I \$27,500 (GST inclusive)
 - PCD (Better Reg) financial contribution - \$13,463 (GST inclusive)
 - Milestone Payments paid on:
 - Written project plan
 - Draft report
 - Final report and presentation

Commercial Tenancy Support Measures

- [CMN2211709](#) - Conflict Resolution Services Inc - Mediation Services - \$122,157.84 (GST inclusive)
- Initial term - \$82,162.94 (GST inclusive) – 27 September 2021-27 December 2021
 - Three months of providing mediation services five days a week (Full time staff member for three months)
- First further extension option – \$39,994.90 (GST inclusive) – 28 December 2021 – 27 March 2022
 - Three months of providing mediation services two days a week (Staff member two days a week)

Kind regards,

Rachel

Rachel Wilkie (she/her) | Director

Better Regulation Taskforce | Economic and Regional Policy Branch | Policy & Cabinet Division

T 02 6205 3947 | E Rachel.Wilkie@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government



Date: 02 March 2022

SUBJECT: Questions from Jo Clay MLA and Michael Petterson MLA regarding Drones in the ACT

Talking points

- Wing is now operating in the suburbs of Harrison, Crace, Palmerston, Franklin, Mitchell, Kaleen and Giralang, having expanded its delivery service to Kaleen and Giralang this week. Also from this week, Coles is offering around 250 grocery items in a pilot with Wing. Wing is conducting extensive community engagement sessions on this change and this engagement will be ongoing.
- The Standing Committee on Economic Development and Tourism conducted an Inquiry into Drone Delivery Systems in the ACT and delivered its report in July 2019. The ACT Government accepted the recommendations of the Inquiry Report and provided its comprehensive response in November 2019.
- Since then, there have been considerable developments in both drone technologies, regulation and management in Australia. Most significantly, the Commonwealth Government published its National Emerging Aviation Technologies Policy Statement in 2021.
- The Better Regulation Taskforce (BRT) is a member of the National Drones Working Group, chaired by the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications. Through this Group the BRT actively engages with the development of drones regulation policy nationally.

Feedback and Complaints

- It has been suggested that the only recourse the public have to complain about the functioning of the Wing Drone delivery service, is to the service provider itself. This is incorrect.
- Canberrans who wish to give feedback on Wing's operations can provide their feedback to the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications in the first instance, and to the Civil Aviation Safety Authority where the feedback relates to any safety concerns.

The Canberra Nature Park

- It has been suggested that Wing requires a licence to operate over the Canberra Nature Park. **This is not correct.**
- This is a complex area of law, and different jurisdictions take different approaches. This is something we continue to consider, including with Wing and the Commonwealth as appropriate.

The Territory Plan

- The Territory Plan does not specifically contemplate drone delivery, however all land use and planning laws apply to drone delivery companies in the same way they apply to other companies operating in the ACT. Wing's operations in Mitchell are not inconsistent with the ACT Planning Framework.
- The Tuggeranong trial was considered a temporary use because of the short-term nature of the trial and the land-use zone on which it was proposed.
- Since that time, it is considered that drone delivery services are similar to other delivery services and consistent with commercial/industrial zoning.

Action Officer: Bryony Dyer.

Cleared By: Sam Engele

On page 28 of the Annual Report, it is noted that the Taskforce did not meet its accountability indicator for the Discovery Phase.

The Annual Report says that it will be completed and delivered in early 2021-22.

When will the public get to see this document?

- The draft Discovery Report has been prepared by the Better Regulation Taskforce. It will present findings based on:
 - the Taskforce’s engagements with business
 - the legislative review; and
 - an analysis of approaches to regulatory reform in other jurisdictions.
- As noted in Annual Report itself and at the Estimates Hearings in October 2021, on commencing the Discovery Phase, the Taskforce resolved to undertake a deeper level of engagement than was initially considered. This has extended the discovery period.
- Since the conclusion of the majority of Discovery Phase engagements in October last year, the Taskforce has overseen the delivery of the legislative review and commenced its cross jurisdictional analysis.
- The Taskforce has brought forward its analysis of some reform options that was originally scheduled as part of Phase 2 of the Taskforce’s program.
 - By bringing forward analysis, the overall time required to implement the program will remain the same.
 - The most significant analysis has been undertaken in relation to Automatic Mutual Recognition of occupational licences.
 - This deregulation measure is being led by the Commonwealth Government across most states and territories. It forms a significant part of the Taskforce’s program of work.
- The Taskforce also supported development and delivery of economic measures for businesses hardest hit by COVID-19 during the ACT lockdown.
 - It established and administered the commercial tenancies ‘in good faith’ negotiation framework which ended on 1 January this year;
 - It reinstated the role of COVID-19 Local Business Commissioner;

- It stood up a mediation service for commercial landlords and tenants;
- It supported the Commercial Tenancies Administration Committee comprised of key industry stakeholders.

On page 145 of the Annual Report, it states that a workshop was held on the challenges to the night-time economy and the entertainment sectors. What did this engagement contribute to the Discovery Phase?

- The night-time and entertainment economy straddles many industries and business types.
- While the core issues are well understood and have been previously considered (e.g. noise, liquor licensing and fees, development approval processes) the focus of the workshop was to look at the whole system, not just the component parts.
- The workshop was an ideal opportunity get all the stakeholders in a room, each with their own experiences, interests and perspectives, to think about an ideal future state for the entire sector.
- This is where the challenge lies, and the Taskforce has a key role to take that whole of system approach.

On page 146 on the Annual Report it states that Online focus groups in May and June 2021 provided insights to help inform direct 'government to business' communications.

What did this involve and what did you learn?

[ED to answer regarding the findings of the consultancy]

- Understanding how business wants to communicate with government is crucial to relieving the burden of regulation on business.
- The findings of these workshops will shape the options for reform.

In a Question on Notice 516, you replied that no contractors, advisors or other external service providers comprise the Better Regulation Taskforce.

The Taskforce got money through the 2020-21 Budget for procurement of specialist capabilities. What sort of specialist capability has this been used for?

- The Taskforce itself which works day in day out on Better Regulation is made up only of ACTPS staff.
- There are no contractors or service providers that form part of or comprise this team.
- The funding that has been provided is and will be used by the Taskforce for one off procurements of specialist capabilities, seeking to obtain specialised skills, knowledge, and experience.
- However, an important aim of the Taskforce is to build capability within ACT Government on regulatory reform issues.

In October last year at Estimates, you took a Question on Notice about the engagements the Taskforce has had with Business.

You said that The Better Regulation Taskforce has undertaken and supported approximately 132 engagements with individuals representing 114 businesses as a part of its Discovery Phase.

What are the current numbers?

- The majority of Discovery Phase direct engagements with business concluded in October 2021.
- The number of engagements has increased slightly since then as the Taskforce always continues to talk to business on a range of regulatory matters.
 - The update figures on engagements are as follows:
134 engagements with individuals representing 115 businesses as a part of its Discovery Phase.
- As requested by Ms Castley, this number does not include peak bodies representing businesses. The voices of many businesses have been heard through the peak body channels.
- Now that the Discovery phase is winding down, new programs of engagement will be undertaken in relation to specific reform programs on the forward work program.

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1. Attachments

- **Attachment A** – Strategic Finance Brief – 2020-21 Financial Statements: Output 8.1: Infrastructure Finance
- **Attachment B** – Hansard – relevant previous testimony
- **Attachment C** – Relevant extracts from the 2020-21 Annual Report

2. Privilege Statement

I have read and acknowledge the privilege statement.

3. Infrastructure Finance and Reform (July 2020 – June 2021)

2020-21 CRP underspend - 1,880 (see **Attachment A – Strategic Finance brief**)

6 FTE	
1	EBM
1	IM 3 (Senior Director)
3	SOG B (Director)
1	ASO 5

Table 17: Accountability Indicators Output 8.1

	2020-21 Targets	2020-21 Results	Variance (%)	Note
a. Life of Project PPP transactions successfully executed	100%	100%	0	
b. Assessments of Unsolicited Proposals completed within the prescribed timescales	>85%	40%	(100)	1
Total Cost (\$'000)	4,370	4,265	(2)	
Controlled Recurrent Payments (\$'000)	4,364	2,484	(43)	2

Consultancy expenditure

- IFR engages a range of consultants to deliver key projects.
- Details of all consultancies with contracts greater than \$25k have been published on the contracts register as notifiable contracts.

4. Public Private Partnerships

Key Information:

Accountability Indicator: 8.1 a. Life of Project transactions successfully executed

- Two life of project transactions took place during the 2020-21 reporting period.
- The Territory's two PPPs – the ACT Law Courts and Light Rail Stage 1 – underwent a refinancing of senior debt during 2020-21.
- The ACT Law Courts PPP refinancing successfully achieved financial close on 3 December 2020.
- The Light Rail Stage 1 refinancing successfully achieved financial close on 15 December 2020.
- The value of the debt refinanced (~\$430m reported) was:

Infrastructure Finance and Reform – Status Update – February 2022

- ACT Law Courts – \$156m
- LRS1 – \$280m with Green Loan and Climate Bond Initiative certification

Background Information

- Territory consent is required to enable the transactions to be completed in accordance with PPP Co's proposed timeframe.
- 'Successfully executed' means IFR working with the relevant directorate to undertake all relevant due diligence on the proposed transaction to inform the provision of Territory consent within the transaction timeframes provided by the PPP Project Companies.

5. Unsolicited Proposals

Key Information:

Accountability Indicator: 8.1b. Unsolicited Proposals prescribed timescales

- Three of the five (3 / 5) Concept Submissions considered during 2020-21 did not achieve the 3-month timeframe for notification to the Proponent of whether the Unsolicited Proposals Steering Committee (UPSC) would receive a presentation as per the Guidelines for Unsolicited Proposals.
- This was due to the unique nature of each proposal, each of which required extensive cross-Directorate consultations with a broad range of stakeholders, including further consultation following the presentation to the UPSC.
- Throughout the process, the Proponents were kept informed of the status of the assessment of their submission and were made aware that the assessment would likely exceed the timeframes in the Guidelines.
- In some cases, the Proposals did not provide sufficient justification for direct negotiations, as there were alternatives readily available in the market.
- **1 active UP as at the end of the reporting period:** The BindiMaps Wayfinding Project was the only Proposal of five (1 / 5) invited to present to the UPSC. Presentation occurs in the next reporting period (26 July 2021) along with the invitation to move to Phase 2 – Detailed Submission (5 October 2021).
- **While we have had numerous conversations with a number of proponents, no new formal UP concept submissions during the current reporting period (2021-22) to date.**
- **Actions undertaken to improve assessment timeframes:** we have further developed internal processes and tools to better document and manage the key activities in each of the phases required to meet the timeframes.

Background Information

- **Status at 1 July 2020:** Three (3) active Unsolicited Proposals, none of which were invited to present to the UPSC.
- **Status at 30 June 2021:** Two (2) Concept Submissions were received in 2020-21, totalling five (5) for the 2020-21 reporting period.

Infrastructure Finance and Reform – Status Update – February 2022

- The [Guidelines for Unsolicited Proposals \(the Guidelines\)](#) create a clear pathway for prospective bidders to submit innovative and unique ideas that align with the Government’s strategic objectives, and to have them considered within a fair and transparent framework.
- The Guidelines describe how the Government evaluates submissions and, if appropriate, determines the process for reaching contractual agreement on their implementation in order to meet the Government’s principles of acting in the public interest, delivering value for money, and achieving appropriate delivery.

6. The Capital Framework

Key Information:

Capital Framework update

- Stage 3 of the review of the Capital Framework is in progress, with the updated framework due for implementation for the 2022-23 budget.
- The review of the Guidelines includes a general update to the drafting of the guidance, as well as development of new or refined tools and templates. The review also includes the development of online training modules.
- A key update to the structure is moving away from word based, to a new interactive website based structure for the guidelines.
- The update
- The review was extended to allow for more extensive cross-government consultation which has been delayed with the impact COVID-19, and for the production of the online training materials.
- Recommendation 55 from previous hearings identified in the Annual Report – Capital Framework review includes updates on advice to project teams on factoring into economic and cost benefit analysis.
- The update includes strengthening analysis under the government’s Wellbeing Framework and sustainability goals and promoting the inclusion of funding for sustainability ratings into business cases, to accord with ecologically sustainable development principles.

ACT Law Courts PPP Post Implementation Review (PIR)

- The ACT Law Courts PIR was considered by Government in **February 2022**, including high priority successes and improvement opportunities.
 - The establishment of MPC in July 2019 and its development of project management practices have addressed many of the Improvement Opportunities, in particular in regards to sufficient resourcing and development processes.
- a. The PIR found:
- i. the Project successfully achieved the objectives stated in the Project business case and contract, delivering a high quality, functionally effective ACT Law Courts facility;

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- ii. although the Project was delayed by 17 months, the Government did not incur any additional costs as a result of the financial protection offered by the PPP contract arrangement; and
 - iii. as stakeholder interviews confirmed, other than causing some inconveniences and reputational issues, the Project delays did not impede court proceedings or prevent the Project from delivering on its key objectives and expected outcomes.
- A sanitised version of the PIR will be prepared for internal use. Currently no plans to publicly release the report.

Margaret Hendry School PIR

- The PIR of the delivery of Margaret Hendry School is currently underway – expected to be finalised on the 2021-22 reporting period.

Benefits Realisation plan – Light Rail

- IFR currently coordinates a quarterly report to the Light Rail Project Board on the Stage 1 benefits.
- Early work on identifying potential measures for Light Rail Stage 2 has commenced.

Background

- The *Capital Framework* is a fit-for-purpose tool that helps to ensure that Government investments in infrastructure projects provide maximum public value to the ACT community.
- It has been developed to support the successful delivery of capital projects in the ACT, but can be used for investments of any type, complexity or cost and provides practical assistance to directorates and agencies proposing investment projects, and to advisors helping develop business cases for them. It helps shape proposals, inform investment decisions and track outcomes and benefits.
- The Capital Framework was introduced in 2013-14.
- The Capital Framework Review – Stage 2 was completed in April 2020.
- A 2021 ACT Audit Office report recommended that a benefits realisation plan is required for Stage 2A.

7. General financial and commercial advice, Project / business case support

Key Information:

- IFR works with directorates to provide financial and commercial advice on the development and delivery of infrastructure projects.
- The engagement spans from provision of ad-hoc advice on relevant commercial matters, to membership of the project governance (including membership of the Tender Evaluation Team).
- This is in addition to advice provided through the *Capital Framework*.

Attachment A – Strategic Finance Brief – 2020-21 Financial Statements: Output 8.1: Infrastructure Finance

AR Volume 2.1 Page: 157	2020-21	2020-21	2019-20	Budget to Actual		Actual to Actual	
	Actual	Budget	Actual	Variance		Variance	
	\$'000	\$'000	\$'000	\$'000	%	\$'000	%
Total Cost	4 265	4 370	2 850	(105)	(2)	1 415	50
Controlled Recurrent Payments (CRP)	2 484	4 364	2 402	(1 880)	(43)	82	3

Reconciliations

Total Cost

- **Budget** - The decrease of \$0.1 million in Total Costs compared to the original budget is mainly due to the deferral of expenditure associated with the *More and better jobs – Improving infrastructure planning and delivery* initiative (\$1.5 million), in part as a result of the impact of COVID-19 health emergency.

This is largely offset by the impact of the write-off in 2020-21 relating to capital work projects that did not eventuate in the creation of assets (\$1.2 million).

- **Actual** - The increase of \$1.4 million in Total Costs compared to 2019-20 is mainly due to the impact of the write-off in 2020-21 relating to capital work projects that did not eventuate in the creation of assets (\$1.2 million).

- **IFR note: this is a legacy from before MPC was established.**

Controlled Recurrent Payments

- **Budget** - The decrease of \$1.9 million in CRP compared to the original budget is mainly due to the impact of the rollover of funding from 2020-21 to 2021-22, including funding associated with *More and better jobs – Improving infrastructure planning and delivery* (\$1.5 million), in part due to the impact of the COVID-19 health emergency. This is partially offset by a higher cash balance at the beginning of the year resulting in less current year appropriation being used.
- **Actual** - The increase of \$0.1 million in CRP compared to 2019-20 is immaterial.

CRP Compared to Total Costs

Key differences between CRP and Total Costs for 2020-21 are:

- Own Source Revenue (\$0.2 million); and
- Other expenses (\$1.2 million) relating to the write-off of capital work projects that did not eventuate in the creation of assets.

Attachment B – Hansard – Relevant previous testimony

PAC – 26 October 2021 (page 63 – 66)	
PPPs	MR PETERSSON: Chief Minister, <i>is the ACT government considering any further public-private partnerships?</i>
	Mr Barr: <i>Not at this time.</i>
	MR PETERSSON: What are the conditions or environment that would cause the ACT to consider entering a PPP in the future?
	Mr Barr: A project of sufficient size and complexity where a risk transfer to the private sector under a PPP model would be appropriate. I do not see anything immediately on the horizon in that regard.
Courts and LR	MS LEE: Chief Minister, can I take you back to PPPs, page 57 of budget statements B. One of the indicators says, <i>“Life of Project PPP transactions successfully executed”</i> . Can you confirm, in terms of that output, how many PPP projects we have delivered on time?
	Mr Barr: Two. Oh, actually <i>one. And one was delayed</i> ; the courts project was delayed. But there are only two PPPs: light rail stage 1 and the courts precinct. And the courts one was delayed.
Courts	MS LEE: <i>How long was that delayed by?</i>
	Mr Barr: Months. Mr Asteraki might be in a position to elaborate on that. We will take on notice the exact number of months
	Mr Asteraki: I think I can answer that question—not to the precise number of days but in terms of months. I confirm that I have read and understood the privilege statement.
	Stage 1 of the court project was <i>due to complete in November 2017, but it was 11 months late, so it was completed in October 2018. Stage 2 was due to complete in August 2018 but did not complete until 31 January 2020.</i>
	Mr Asteraki: That is the transaction. I think <i>your reference was to life of project transactions</i> , which are subsequent transactions to the original transaction that have an implication for the project over its life.
Life of Project Transactions	MS LEE: I was about to go on to that as the next question. On page 57, in the comments to that output class indicator, it says: ‘Successfully executed’ means that the Territory has responded to a request from the Project Company within the timescale specified in the PPP Contract; and has not been unreasonable should it withhold its consent.
	<i>Can you explain, in layman’s terms, what that means and what is actually measured?</i>
	Mr Asteraki: Yes. There are a variety of different transactions that have an impact on the project over its lifetime post the signature of the project agreement. <i>The two particularly that that commentary referred to were refinancing of both the law courts and the light rail stage 1 projects.</i> <i>In those particular instances, both project companies had a particular timetable for completing their refinancing. Both refinancings required the territory’s consent under the project agreement. That meant that we had to undertake our due diligence investigations into the terms of the refinancing to ensure that they did not result in any adverse impact on the territory without the project company having</i>

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	<p>provided adequate compensation—which we were duly able to do. We were able to provide the territory’s consent within the timetables that the two project companies had set.</p> <p>That was particularly challenging for the light rail project as we did not get the final, formal details of the refinancing until quite late, which left us significantly less time than the project agreement allowed for. But we had done a lot of preparatory work, which meant that we were able to respond within the requested time frame, even though it was, as I said, shorter than that provided for in the project agreement.</p>
<p>PAC – 20 October 2021</p>	
<p>PPPs (page 5)</p>	<p>MS LEE: When you look at figure 3.7.1 on page 281 of the outlook, that figure shows that there is a significantly higher delivery of the infrastructure program within two years when it is done as a PPP as part of the program. Are you considering future PPPs to deliver infrastructure programs and, if so, which projects?</p> <p>Mr Barr: Not at this time, but we do not rule out that procurement methodology. It needs to be a particular scale of project and there needs to be an appropriate risk transfer from the public sector to the private sector that is costed appropriately. That was the best procurement methodology for the first stage of light rail, given the territory had not delivered a rail project before. It was also an effective procurement methodology for the courts upgrade project. I think that, as a bottom line, they need to be very large projects and risky, have elements of risk transfer to the private sector at an appropriate cost, in order to see PPP as the preferred procurement methodology.</p>
<p>Unsolicited Proposals (page 27 – 30)</p>	<p>MS LEE: Can I take you to page 57 of statements B, table 53, the assessments of unsolicited proposals completed within prescribed time frames. When we look at those figures, we see an outcome of 40 per cent, compared to a target of over 85 per cent. Can you tell us why that outcome is so poor and what is being done to achieve the same target of 85-plus for 2021-22?</p> <p>Mr Barr: Before I hand over to Mr Asteraki, who is online and can answer this question, we do not receive many unsolicited proposals. I think actually reporting them as a percentage is amusing on one level. We would receive a handful a year. The difference between 40 and 80 per cent might be one versus two. I will hand over to Mr Asteraki to provide that information.</p> <p>Mr Asteraki: I have read and acknowledge the privilege statement. The Chief Minister is correct. Last financial year we were processing five unsolicited proposals at various stages during the year. Unfortunately, for three of those we did not make the time scale that we had put into the guidelines for unsolicited proposals on our indicative timetable for responses at key points of the process. At all times we kept the proponents informed of any delays. As it became obvious that we would not be able to make the time scales, we kept them informed of that. We did not receive any complaints from them. They were grateful for being kept informed.</p> <p>The nature of unsolicited proposals is that they can be quite complex. The reason they come through the unsolicited proposal process is because they often cut across a number of different directorates and agencies. So there is a fair degree of coordination that we need to undertake to make sure that we have a proper consideration of proposals first before we go to the unsolicited proposal steering committee, which consists of the Head of Service, the Under Treasurer, the Director-General of EPSDD and any other directors-general whose portfolios are related to the proposals.</p> <p>We need to make sure that we have a proper consensus view to make a recommendation to the UPSC. Quite often the UPSC then come up with a number of</p>

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	<p>queries that they need to have answered before they can make a final decision on a proposal, if they have indeed received a presentation on that proposal.</p> <p>Over the course of the financial year 2020-21, we did have some logistical difficulties of getting hold of people because of the amount of time that people were spending responding to the pandemic. Things took longer than we would have liked. I think we generally take the view as well that it is better to have a proper full consultation and consideration for a proposal rather than trying to meet a deadline which, in some cases, can be arbitrary.</p>
	<p>MS LEE: Out of the five that you received last financial year, how many were actually approved?</p>
	<p>Mr Asteraki: None have been approved, as such. During this financial year, one has now moved into stage 2 of the three-stage process for unsolicited proposals, which is the proposal from BindiMaps, which is a way-finding system for the visually impaired, where we are looking at a potential pilot project. That will need to go through the rest of the process, including approval by cabinet and signature of a contract before it actually happens. The others did not progress to that stage. In some cases, the unsolicited proposals steering committee declined to receive a presentation. In a couple of instances that was because there was a better route for the particular proposal to be taken forward.</p> <p>One that I think we inadvertently mentioned in last year’s annual report was for an air quality monitoring system, where the proponent ending up being on a trial that is being run by the Health Directorate. Another is being dealt with directly by EPSDD in terms of certain planning and land availability issues. It was more appropriate to deal with it directly like that rather than through the process. Regarding the other two, ultimately the government decided not to proceed with those to the stage of inviting them to make a presentation. Another one is now wrapped up into a procurement that is ongoing on a competitive basis. With the other one, there had been an earlier trial and the proponent was seeking to expand its offering to the ACT. From our perspective, the trial did not go particularly well and we had significant concerns about the desirability of continuing any further.</p>
	<p>MS LEE: Please correct me if I am wrong, but does that mean that there are two out of the five that are still going through the process this year?</p>
	<p>Mr Asteraki: There is one that is still going through the process this year, yes.</p>
	<p>MS LEE: Do you have any updated figures on other ones that you have received this year?</p>
	<p>Mr Asteraki: We have not had any formal proposals this financial year, as such. We are having a number of discussions with potential proponents. At this stage, until they make a formal proposal and the UPSC decides to invite them to make a presentation, we do not release details. Some of the proposals are, shall we say, more robust than others. We tend not to publicise the ones that are not quite so robust. The ones that are would go forward, at least to a presentation</p>
	<p>Mr Barr: That is the most diplomatic way I have heard it put, Mr Asteraki. Thank you.</p>
	<p>Mr Asteraki: Yes.</p>
	<p>MS LEE: And I thought you were the politician, Treasurer! What due diligence is conducted on the parties submitting unsolicited proposals, including the relevant conflict checks?</p>
	<p>Mr Asteraki: We undertake considerable due diligence. There was one proposal we received where that due diligence rapidly identified that the particular proponent had made similar proposals elsewhere and were claiming to be something that they were not and had actually been taken to court in another jurisdiction as a result. That one was terminated as quickly as we conveniently could. We will make investigations of the</p>

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	<p>individuals concerned, the company—if it is a company—including, potentially, looking at their finances if we are reliant on them for making an investment. We would go into some detail on the individual proposal to see whether it was something that was suitable for an unsolicited proposal, which would mean that it was either unique or there was some other aspect which meant that we might be willing to negotiate directly with the proponent, rather than have a competitive procurement process. Generally, as I was saying earlier, it is trying to identify whether what the proponent is offering is of any interest at all, and in some cases it is definitely not.</p>
	<p>MS LEE: Presumably, as part of this process, you would also be looking at their capability in terms of ability to deliver on what they are proposing, financially as well as competence-wise, if that makes sense?</p>
	<p>Mr Asteraki: Absolutely, yes. That is definitely part of our due diligence checks.</p>
	<p>MS LEE: Whereabouts in the process does this check happen?</p>
	<p>Mr Asteraki: It is an ongoing check. We would make an initial check upon receipt of a proposal. It is part of the advice that we give to the unsolicited proposals steering committee as to whether the proponent has that capability. In some cases, if they clearly do not then it probably would not get as far as the UPSC. That would then continue through into phase 2, which is where the proponent submits a detailed business case or fully worked up proposal. In that case, we would be definitely looking at what the proponents would need to do as part of the proposal and whether they had that capability.</p>
	<p>MS LEE: How is the conflict of interest check part of it dealt with?</p>
	<p>Mr Asteraki: In terms of whether there is a conflict with anybody in government?</p>
	<p>MS LEE: Yes. Canberra is a pretty small place. Presumably, it comes up every now and then.</p>
	<p>Mr Asteraki: Yes, there have been some instances where there were potential conflicts, not formal, but just because a particular member of the proponent team was well-known to certain people within government. We manage that sort of conflict quite carefully. Certainly, in terms of going forward towards an eventual contract, we would make sure that anybody involved did not have any conflicts of interest. Generally, our responsibility as public servants is to ensure that where we are dealing particularly with the private sector we either do not have those conflicts or we openly declare them to the appropriate official to make sure that the individual's continued involvement is appropriate or not, or whether they should withdraw from the process.</p>
<p>EGEE – 22 February 2021 AR 2019-20 and Budget 2020-21 (page 23-25)</p>	
<p>PPPs / financing</p>	<p>MR COE: Thank you. Back on infrastructure finance: going on from the obviously pretty attractive rates that the ACT government is getting in the bond issuance, how does that change or impact decisions about how PPPs operate?</p>
	<p>Mr Barr: Future PPPs? It would probably make them less likely would be the headline answer.</p>
	<p>MR COE: Yes.</p>
	<p>Mr Barr: It is not impossible, but less likely. It would depend on the asset type.</p>
	<p>Mr Miners: Finance or cost is one of the factors that are involved in making a decision about the type of financing that we use, the interest costs. There are various other factors, including the type of asset; where the expertise lies in delivering the asset; the length of the asset; the type; and the nature of it. It would be one factor that would be considered in the mix of factors.</p>
<p>LR</p>	<p>MR COE: I turn to the operating statement and impact of light rail stage 1, which is on page 281(279) of BP3. It unpacks that total availability payment, in effect, with the interest—</p>

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	MR COE: It was rare as hens’ teeth on level one, let me tell you that. Obviously that interest payment is pretty significant and works out to be a fair bit higher than what we are getting on bonds at the moment. Therefore, with regard to stage 2, be it 2A or 2 proper, are you considering a more traditional contract for 2A for financing?
	Mr Barr: We would certainly look at that, yes .
	MR COE: Are you in any way tied to either the operation of stage 1 or the contract of stage 1 as to what financing options are available for stage 2?
	Mr Barr: I do not believe so, no .
PPPs	MR COE: No? Okay. Are there any infrastructure projects that are in the pipeline that have either been announced or have been foreshadowed where there is active discussion about whether it is a PPP or a more traditional contract?
	Mr Barr: Not the hospital, no.
	MR COE: What about CIT, for instance?
Courts	Mr Barr: No, there is nothing unique about that building. It is not a—
	MR COE: Yes, but you could say a similar thing for the courts as well.
	Mr Barr: I think there was a DCMO, wasn’t there, in terms of the building there?
	Mr Miners: Yes, the courts provided a good opportunity at the time to have someone come in and do that as a package and the PPP stacked up at that time as the best way to go forward.
	MR COE: What is the embedded or effective interest rate for the courts project?
	Mr Miners: I do not have that off the top of my head. We would have to take that on notice***.

***Response to QON 5 - The ACT Courts Facilities Public Private Partnership finance lease is an interest-bearing liability. As per the *2019-20 Justice and Community Safety Directorate Annual Report*, the implicit rates used to calculate the interest component on the finance lease are: 8.13% for Stage 1, 7.89% for Stage 2A.1, 7.80% for Stage 2A.2 and Stage 2B.

Attachment C – Relevant extracts from the 2020-21 Annual Report

8. [Volume 1 \(document page 89 / digital page 101\)](#)

Output 8.1 Infrastructure Finance

Overview

Through the Infrastructure Finance output we provide advice to government on the development and management of major infrastructure projects, including unsolicited proposals and the use of private finance where appropriate. We partner with directorates to ensure project business cases provide the required evidence and analysis to justify the funding decisions of government.

Infrastructure Finance & Reform delivers this output by:

- Advising on the development of infrastructure projects within the Capital Framework.
- Providing financial and commercial advice on the structuring and procurement of Public Private Partnership (PPP) and other major, complex infrastructure projects, and managing life-of-project transactions for PPP projects.
- Coordinating and managing the assessment of unsolicited proposals.
- Maintaining, and providing advice on, and training in, the policy frameworks that guide the development of infrastructure projects.
- Providing governance and administrative support to infrastructure-related committees.

Performance

Accountability indicators

1 met **1** not met

We met one of two 2020-21 accountability indicator targets for this output:

- 8.1a – *Life of Project PPP transactions successfully executed.*

We did not meet our target for the following indicator:

- 8.1b – *Assessments of Unsolicited Proposals completed within the prescribed timescales.* Three out of five Concept Submissions received did not achieve the three-month time frame for notification to the proponent of whether the Unsolicited Proposal Steering Committee (UPSC) would receive a presentation. This was due to the unique nature of each proposal, which required extensive cross directorate consultation with a broad range of stakeholders. Throughout the process, the proponents were kept informed of the status of the assessment of their submission and were made aware that the assessment would likely exceed the timeframes in the Guidelines for Unsolicited Proposals.

Key achievements



Successfully managed the refinancing of approximately **\$430 million** senior debt of both the Law Courts and Light Rail Stage 1 Public Private Partnerships (PPPs).

249 projects worth **\$3.6 billion** developed through the Capital Framework and funded in the 2020-21 Budget.



Highlights

In 2020-21 we achieved this output by:

- Providing financial and commercial advice on the development of complex infrastructure projects, including the development of Light Rail Stage 2A.
- Managing the process and providing commercial support for assessment of five Unsolicited Proposals.

To deliver this output we also:

- Continued to provide support to directorates using the Capital Framework process to develop stronger business case submissions on 249 projects worth \$3.6 billion funded in the 2020-21 Budget. This support enabled more thorough planning, appraisal and evaluation in the formative stages of the investment lifecycle.
- Undertook Stage 3 of the Capital Framework review to update the policy framework that supports the development, procurement, and delivery of capital projects, due for completion in early 2021-22.
- Undertook the Post Implementation Review of the Law Courts PPP, due for completion in 2021-22.

Future direction

In 2021-22 we will continue to assist directorates and agencies by:

- Providing advice to directorates and agencies using the Capital Framework process, conducting Post Implementation Reviews, and monitoring and reporting on benefits realisation.
- Providing analysis and advice throughout the Budget process.
- Advising on complex infrastructure projects, including Light Rail City to Woden, Zero Emission buses and waste treatment facilities.
- Managing Life-of-Project transactions for the Territory's PPP projects.
- Managing the process and providing commercial support for the assessment of Unsolicited Proposals.

- Reviewing and updating the policy frameworks that support the development, procurement, and delivery of capital projects:
 - The Capital Framework.
 - The Partnerships Framework, Guidelines for PPPs.
 - The Partnerships Framework, Guidelines for Unsolicited Proposals.
- Finalising and rolling out online training for the Capital Framework.
- Undertaking the Post Implementation Review of Margaret Hendry School.

9. [Volume 1 \(document page 126 / digital page 139\)](#)

Recommendation 55 – Agreed

The Committee recommends that the ACT Government ensure that Budget funding decisions are explicitly considered in the context of the zero emissions by 2045 target and associated interim targets, and the cost of carbon emissions (or ‘the social cost of carbon’) are factored into Treasury and directorate cost benefit analyses.

In progress

Major Projects Canberra is leading a sustainability working group to consider how sustainability, climate change and zero emission requirements can be embedded in capital works procurement processes, together with support from EPSDD and [Infrastructure Finance & Reform](#) within CMTEDD.

Infrastructure Finance & Reform is updating the Capital Framework (which guides directorates in methodically undertaking robust analysis of infrastructure projects to inform government investment decision making), including strengthening analysis under the Government’s Wellbeing Framework and sustainability goals, and promoting the inclusion of funding for sustainability ratings into business cases, to accord with ecologically sustainable development principles.

10. [Volume 2 \(document page 157 / digital page 164\)](#)

Table 17: Accountability Indicators Output 8.1

	2020-21 Targets	2020-21 Results	Variance (%)	Note
a. Life of Project PPP transactions successfully executed	100%	100%	0	
b. Assessments of Unsolicited Proposals completed within the prescribed timescales	>85%	40%	(100)	1
Total Cost (\$'000)	4,370	4,265	(2)	
Controlled Recurrent Payments (\$'000)	4,364	2,484	(43)	2

Explanation of accountability indicators:

- a. This accountability indicator measures the efficiency of Infrastructure Finance and Reform in undertaking its responsibilities for Life of Project transactions for PPP projects. PPPs are a form of infrastructure procurement that involve high levels of risk transfer to the private sector and high levels of integrated delivery. 'Life of Project' transactions are those that have a material impact on the financial and/or operational arrangements of the project as negotiated in the original PPP Contract, and normally result from a request by the Project Company that requires the consent of the Territory (for example, debt refinancing, changes in equity arrangements, changes to the payment mechanism or financial model, etc.). 'Successfully executed' means that the Territory has responded to a request from the Project Company within the timescale specified in the PPP Contract; and has not been unreasonable should it withhold its consent. The full year result is the number of Life of Project transactions completed successfully divided by the total number of such transactions scheduled to be completed within the reporting period. In 2020-21 the two transactions successfully executed were the ACT Law Courts PPP Refinancing and the Light Rail Stage 1 Refinancing.
- b. This accountability indicator measures the efficiency of Infrastructure Finance and Reform in undertaking its responsibilities for managing the assessment of Unsolicited Proposals. The Guidelines for Unsolicited Proposals is the framework for the treatment of Unsolicited Proposals in the Territory. The relevant timescales are those specified in the Guidelines for Unsolicited Proposals and/or those agreed with the proponent, for each phase of the assessment process. Within three months of receiving the formal Concept Submission, the Government will aim to advise the proponent whether the Unsolicited Proposals Steering Committee (UPSC) would like to receive a presentation. Within two months of the presentation to the UPSC, the UPSC will notify the proponent of its decision on progressing the proposal, unless there are particular circumstances that require a longer review period.

Explanation of material variances (+/-5%)

1. The variance is because three of the five Concept Submissions considered during the period did not achieve the three-month timeframe for notification to the proponent of whether the UPSC would receive a presentation as per the Guidelines for Unsolicited Proposals. This was due to the unique nature of each proposal, each of which required extensive cross directorate consultation with a broad range of stakeholders. Throughout the process, the proponents were kept informed of the status of the assessment of their submission and were made aware that the assessment would likely exceed the timeframes in the Guidelines.
2. The variance is largely due to several projects within the *More and better jobs – improving infrastructure planning and delivery* initiative not completing in 2020-21, in part due to the impact of the COVID-19 pandemic.

Unsolicited Proposal (UP) Timelines (indicative – activities may vary due to the nature of the UPs)

Phase	Activity	Approximate Timeframe as per guidelines
0	Early Collaboration with IFR	Vary
1	Lodgement of a Concept Submission	Government will aim for within 3 months from lodgement of a Concept submission to inform Proponent of whether the UPSC would like to receive a presentation
1	UPSC presentation	Within 2 months from the date of UPSC presentation to inform Proponent of whether the UPSC would like the Proposal to proceed to Phase 2 – Detailed Submission, “unless there are particular circumstances that require a longer review period”
2	Development of Detailed Submission	Vary
2	Lodgement of a detailed Business Case	The time taken for a decision on whether a Proposal proceeds to Phase 3 may vary considerably, depending on the nature and complexity of the Proposal. Government will aim to reach a decision. Likely to be at least 6-12 months from lodging of the Detailed Submission to the UPSC’s decision on whether to recommend to Cabinet that it proceed to Phase 3 – Tender
3	Contract implementation	Vary
In the event that either the UPSC or Cabinet ends the assessment of a Proposal, the Government generally will not consider it further until 18 months have elapsed since the lodgement of the Detailed Submission, unless the Proponent makes substantial changes to the Proposal.		

Proposal	Activity	Date
<h1>Schedule 2.2(a)(viii)</h1>		
BindiMaps Wayfinding Project	Proposal lodged date	10 May 2021
	KPI date (1)	10 August 2021
	Response	30 June 2021
	UPSC Presentation date	26 July 2021
	KPI date (2)	26 September 2021
	Response	5 October 2021

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2.	Workforce Diversity and Inclusion
3.	ACTPS Graduate and Talent Bank Program
4.	ACTPS staffing Numbers
5.	Enterprise Agreements update and Bargaining process 5a – New leave types
6.	State of the Service Report
7.	ACTPS Survey
8.	Secure Employment Framework
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18.	Secure Local Jobs Code general operations
19.	Amendments to the Secure Local Jobs Code 19a – Government Procurement (Ethical Treatment of Workers Evaluation)
20.	Secure Local Jobs Code Review
21.	ACTPS Leadership and Talent
22.	Output 1.2 (variances to targets)
23.	Output 1.6 (variances to targets)

24.	Staffing FTE WCAG/WSIR
25.	Learning and Development
26.	ACTPS Workforce Gender Equity
27.	COVID Safety re-opening of our Office Spaces

Executive Numbers

Talking points:

- At June 2021, there were 304 senior executives employed in the ACT Public Service (an increase of 24 senior executives, or up by 8.6% from previous year). This represents 0.07% of the ACT population (431,826 at the end of the March 2021).
- 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 301.4 (up from 277.0 in the 2020-21 reporting year).
- Senior executives account for 1.16% of the total ACTPS headcount.
- The Chief Minister, Treasury and Economic Development Directorate had the highest number of senior executives across the ACTPS Directorates, followed by the Justice and Community Safety Directorate.
- Major Projects Canberra and the ACT Health Directorate experienced the largest growth in their executives' numbers during the reporting year.
- The Executive Band 1 classification has the highest number of executives (192 or 63% of senior executives). One hundred and thirty-seven executives fall within Executive Level 1.4.
- As at June 2021, 53.3% of executive positions were held by women.

Key Information

- Numbers by Directorate at June 2020 and June 2021 and percentage increase between June 2020 and June 2021:

Senior Executive by Directorate	Jun-20	Jun 21	Increase (%)
Canberra Health Services	16	19	18.8
Chief Minister, Treasury and Economic Development Directorate	86	92	7.0
- ACT Insurance Authority	1	1	0
Community Services Directorate	26	25	-3.8
Education Directorate	20	21	5.0
Environment, Planning and Sustainable Development Directorate	22	18	-18.2
ACT Health Directorate	24	31	29.2
Justice and Community Safety Directorate	46	53	15.2
Major Projects Canberra	13	17	30.8
Transport Canberra and City Services Directorate	26	27	3.8
ACTPS Total	280	304	8.6

Numbers by classification level at June 2020 and June 2021:

Executive Level	Jun-20	Jun-21
Executive Level 1.1	2	3
Executive Level 1.2	18	20
Executive Level 1.3	28	32
Executive Level 1.4	123	137
Total at Band 1	171	192
Executive Level 2.1	2	5
Executive Level 2.2	30	27
Executive Level 2.3	18	19
Executive Level 2.4	27	27
Total at Band 2	77	78
Executive Level 3.1	0	1
Executive Level 3.2	10	12
Executive Level 3.3	7	8
Executive Level 3.4	3	1
Total at Band 3	20	22
Executive Level 4.1	1	2
Executive Level 4.2	5	5
Executive Level 4.3	5	4
Executive Level 4.4	1	1
Total at Band 4	12	12
ACTPS Total	280	304

Aboriginal and Torres Strait Islander Executives and Senior Officers

- 1.6% of Executives (approximately 5 people) and 1.8% of Senior Officers (approximately 56 people) in the ACTPS identify as Aboriginal and Torres Strait Islander people.

CM22/13447

Portfolio/s: Chief Minister

Chief Minister

Workforce Diversity and Inclusion

	2016-17	2017-18	2018-19	2019-20	2020-21
Aboriginal and Torres Strait Islander employees	1.6%	1.7%	1.8%	2.0% (489)	2.0% (517)
Employees identifying as a person with a disability	2.4%	2.5%	2.7%	2.8%	2.9%
Culturally and Linguistically Diverse	18.2%	17.9%	18.7%	20.3%	21.5%
Aged over 60 years	9.0%	8.7%	8.9%	8.8%	8.9%
LGBTIQA+ (staff survey self report)	-	-	-	-	6%

ACTPS Strengths and Key Initiatives:

- The ACTPS has a diverse and inclusive workforce which has been driven by a range of commitments and programs over the years, as well as clear, measurable diversity employment goals.
- The ACTPS has re-set employment goals for:
 - Aboriginal and Torres Strait Islander people: to **3% by 2026** (from 2%)
 - People with disability: to **5% by 2026** (from 3.1%)
- This year, we will also introduce a new goal to benchmark *Inclusion*.
- Our 2021 Staff Survey results showed that **70%** of respondents consider the **ACTPS is an inclusive place** to work.

Key Initiatives

- Last year, we undertook a **comprehensive review of the Respect, Equity and Diversity Framework**.
 - This will be used to further enhance the diversity of our workforce, and drive inclusion and a greater sense of belonging across the Service (details next page).
- ACTPS Directorates continued a range of actions under **Reconciliation Action Plans**.
- Approximately **3,000 staff** from across the ACTPS have completed **voluntary e-learning** on how to build more inclusive workplaces (since July 2020)

Review of Respect, Equity and Diversity (RED) Framework

- In 2021, the ACTPS examined its Diversity & Inclusion agenda through a comprehensive review of the Respect, Equity and Diversity Framework.
- Over 200 people, including subject matter experts and staff from diverse backgrounds, contributed to the review.
- The **key findings** were that:
 - clear and measurable goals have a positive impact on increasing the diversity of our workforce.
 - the data we collect on Diversity & Inclusion characteristics need improvement (for example, contemporary and consistent naming conventions; simple processes to record data).
 - staff education and awareness needs to be good quality and accessible in order to drive change; and
 - ACT Government undertake a great deal of action. We also need to focus on the evaluation of that activity to drive deeper change and progress.
- Our **next steps** will focus on three key outcome areas:
 - Communicating our new diversity targets to continue to increase the diversity of our workforce;
 - Leveraging our current high rates of inclusion, and better understanding areas with higher and lower rates of inclusion; and
 - Examining diversity and inclusion activity, education, and information across the service to support a stronger outcomes-focus.

Aboriginal and Torres Strait Islander employment

Diversity numbers

- **2.0% of the ACTPS workforce** identify as Aboriginal and Torres Strait Islander
 - This grew by 5.7% from last year.
- **1.6% of Executives** identify as Aboriginal and Torres Strait Islander people.
- **1.8% of Senior Officers** identify as Aboriginal and Torres Strait Islander people.

Staff Engagement (2021 Staff Survey)

- **86%** of Aboriginal and Torres Strait Islander staff indicated they are engaged at work (compared with 82% for ACTPS).

Supporting cultural safety and challenging unconscious bias

1. ACTPS introduced **Refreshed Recruitment Guidelines** (in May 2021).
 - The refreshed guidelines place a strong emphasis on eliminating unconscious bias from ACTPS recruitment processes
 - All panel members are highly encouraged to take part in training to understand unconscious bias, prior to undertaking an ACT Government recruitment process.
2. **ACTPS provides free eLearning** to improve awareness about Aboriginal and Torres Strait Islander cultures.
 - The module discusses cultural awareness, myth busting, family and kinship, impacts of colonisation and Stolen Generations, working together, moving forward, celebrating success.
 - 818 ACTPS employees have completed this e-learning module since it was introduced in July 2020.
3. Undertook an exploratory project to understand the **extent and experience of systemic racism in ACTPS work settings**. ACTPS is partnering with a Doctoral-level research student to deepen this research to inform practices into the future.
4. Additionally, around 3,000 staff from across the ACTPS have completed **voluntary e-learning** on how to build more **inclusive workplaces** (since July 2020)

Attraction and Retention

- The ACTPS has recently expanded its efforts to attract and retain Aboriginal and Torres Strait Islander staff with **focused leadership and career development opportunities**.
- In the current financial year, these opportunities include:

- The Walking in Two Worlds Talent Management Program (Coolamon Advisors, 6 Participants),
 - The Vocational Employment Program (ACTPS Directorates, 10 participants),
 - An Australian Institute of Company Directors course(4 people), and
 - The Public Sector Management Program (QUT, 7 participants)
- Additionally, Directorates offer programs and opportunities to their staff in line with their professional career interests.
 - Table below shows the total number of Aboriginal and Torres Strait Islander people completing centrally coordinated/funded programs across the current and previous reporting period:

	2020-21	2021-22 (to date)
Aboriginal and Torres Strait Islander participants	21	27 ¹

¹ Some participants are counted across financial years due to: staggered commencement times, some programs run for more than 12 months; and timing of academic rather than financial year. Please note that associated costs were only incurred once.

People with Disability

Diversity numbers

- **2.9% of the ACTPS workforce** identify as a person with disability.
- **5.6% of Executives** identify as a person with disability.
- **4.5% of Senior Officers** identify as a person with disability.

Staff Engagement (2021 Staff Survey)

- **79%** of staff with Disability indicated they are engaged at work (compared with 82% for ACTPS).

Attraction and Retention

- The ACTPS has recently expanded its efforts to attract and retain People with Disability with **focused leadership and career development opportunities**.
- In the current financial year, these opportunities include:
 - The Vocational Employment Program for People with Disability (in partnership with JACS, 2 participants).
 - A Neurodiversity Pilot Program (in partnership with Specialistearne and CSD, 1 participant)
 - The Future Shapers Program (Disability Leadership Institute, 4 participants), and
 - Public Sector Management Program (QUT, 6 participants)
- Additionally, Directorates offer programs and opportunities to their staff in line with their professional career interests.
- Table below shows the total number of people with disability completing centrally coordinated/funded programs across the current and previous reporting period:

	2020-21	2021-22(to date)
People with Disability	15	15 ²

² Some participants are counted across financial years due to: staggered commencement times, some programs run for more than 12 months; and timing of academic rather than financial year. Please note that associated costs were only incurred once.

Culturally and Linguistically Diverse Employees (CALD)

Diversity numbers

- **21.5%** of ACTPS employees identify as coming from a Cultural and/or Linguistically Diverse background.

Staff Engagement (2021 Staff Survey)

- **88%** of staff from a Cultural and/or Linguistically Diverse background indicated they are engaged at work (compared with 82% for ACTPS).

Attraction and Retention

- We are proud to have over a fifth of our workforce identifying as coming from a Cultural or Linguistically Diverse background.
- To support culturally and linguistically diverse people who have had difficulty gaining meaningful employment, CSD runs the Work Experience and Support Program (WESP).
 - WESP is designed for New Canberrans who have had difficulty gaining meaningful employment for at least two years.
 - The program provides the opportunity to gain office skills and Australian workplace experience.
 - Participants undertake four weeks of formal training in office skills at the Canberra Institute of Technology and eight weeks of work experience in an ACT Government agency.
 - WCAG has participated in previous years and an application process for participants is currently open

LGBTIQA+³ Employees

Diversity numbers

- **6%** of ACTPS employees identified as LGBTIQA+ in the 2021 Staff Survey.

Staff Engagement (2021 Staff Survey)

- **82%** of LGBTIQA+ staff indicated they are engaged at work (consistent with the ACTPS average)

Attraction and Retention

- Directorates support LGBTIQA+ employees through staff networks and promotion of events such as 'Wear it Purple Day' and 'International Day against Homophobia, Biphobia, Interphobia and Transphobia' (IDAHOBIT), aligning with the Government's *Capital of Equality Strategy*.

Employees aged over 60 years

Diversity numbers

- **9%** of the ACTPS workforce are aged over 60 years of age.
 - This has grown slightly over the last decade from 8% in 2010-11.

Staff Engagement (2021 Staff Survey)

- **85%** of staff over the age of 60 indicated they are engaged at work in the 2021 ACTPS Staff Survey (this compares with 82% for ACTPS).

Attraction and Retention

- The ACTPS's progressive approach to flexible work supports employees approaching retirement to transition to retirement more easily than in the past.
- Under ACTPS Enterprise Agreements, grandparent leave is available to enable grandparents to undertake a primary care-giving role for a child.
 - This entitlement of 52 weeks (leave without pay) may be used all at once, or over a period of up to five years ie: one day per week.

³ LGBTIQA+' is an evolving acronym that stands for lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual and many other terms (such as non-binary and pansexual) that people use to describe their experiences of their gender, sexuality, and physiological sex characteristics.

Aboriginal and Torres Strait Islander Walking in Two Worlds Talent Management Program

CURRENT PROGRAM

Purpose: to progress Aboriginal and Torres Strait Islander people into more senior decision-making roles

Delivery: Coolamon Advisors

Qualification/Award: Certificate of Completion

Elements:

1. Onboarding Assessment: discussion with a Coolamon Advisors consultant, establishing participant's learning objectives and exploring how to obtain the maximum value from their mentor sessions.
2. Peer Group Sessions: three face to face sessions led by skilled facilitators exploring: Managing Myself; Succeeding in two worlds; Managing my Career
3. Mentor Sessions: 3 x 1hr mentor sessions
4. Immersion Activity: participants interact with and observe cultural and community elders and leaders and reflect on their own cultural identity.

Target Audience: Aboriginal and Torres Strait Islander staff in ASO5-6 and SOG C-B positions
 Schedule 2.2(a)(xi)

Participant Group	Number of Participants in 2022-23
Aboriginal and Torres Strait Islander Employees at ASO5-6 - From CMTEDD, JACS and EPSDD	3
Aboriginal and Torres Strait Islander Employees at SOG C-B - From CSD and JACS	3
Total	6

Additional Information: CSD, CHS and ACT Health were looking to fund places for additional participants from their directorates.

ACTPS Vocational Employment Programs

CURRENT PROGRAM

Purpose: The Vocational Employment Program is an entry-level employment program targeted to **Aboriginal and Torres Strait Islander people AND people with disability**. It aims to increase diverse employment and support both groups to begin careers in the ACTPS.

Delivery: Various Registered Training Organisations across the ACT, for those completing Vocational courses and workplace experience.

Qualification/Award: Certificate 2-3/Diploma for the vocational course they are completing OR separate short course completion certificates.

Elements: Participants undertake training that meets the needs of directorates and is tailored to their abilities. This may be Certificate/Diploma vocational training, or an individual learning and development plan may be established. Programs last from 12- 18 months depending on the rate at which the participant completes their individual training plan.

Target Audience: Participants usually commence as permanent employees at the ASO1 to ASO3 (and equivalent) classifications. On successful completion of the program participants are promoted to the next classification level.

Cost: Approximately \$1,000 per participant that Directorates reimburse WCAG for recruitment. In addition, directorates pay salary and learning and development costs (L&D Average approximately \$2,000).

Vocational Employment Program Group	Number of Participants in 2020-22 Program (18 months)
Aboriginal and Torres Strait Islander People	10 (though one of these participants resigned near the end of their program for personal reasons)
People with Disability	2
Total	12

Additional Information: 4 out of the total 12 participants are due to complete the program by 24 February 2022.

Neurodiversity Pilot Program

CURRENT PROGRAM

Purpose: To harness the significant skills brought to the workplace by neurodiverse individuals.

Delivery: For recruiting to this Pilot, WCAG have partnered with Specialisterne, a recruitment specialist for people with autism.

Qualification/Award: Participant is completing Certificate IV in Project Management (CIT)

Focus:

- The pilot program is intended to operate with just 2 Neurodiverse participants.
- One participant has accepted a role in Community Services Directorate and commenced employment in May 2021.
- Post-placement support and ‘colleague training’ is provided for three months after commencement by Specialisterne. Colleague training builds the understanding and capability of the people in the work area to work with a neurodiverse person.

Target Audience: The participants commence at an AS04 level (rising to AS05 on completion of the program).

Cost in 2020-21 ^{Schedule 2.2(a)(xi)} paid to recruitment partner Specialisterne for virtual talent match services and 3 months post-placement training/support. WCAG is funding this pilot program from its own budget.

Additional Information: An evaluation mechanism is in place for this pilot program to assess its impact (estimated evaluation completion June 2022).

Cost: Approximately \$1,000 per participant that Directorates reimburse WCAG for recruitment. In addition, directorates pay salary and learning and development costs (L&D Average approximately \$2,000).

Vocational Employment Program Group	Number of Participants in 2020-22 Program (18 months)
Aboriginal and Torres Strait Islander People	10 (though one of these participants resigned near the end of their program for personal reasons)
People with Disability	2
Total	12

Additional Information: 4 out of the total 12 participants are due to complete the program by 24 February 2022.

SBS Inclusion E-learning (current offering)

CURRENT PROGRAM

Purpose: The SBS Inclusion Program eLearning supports ongoing learning and development about inclusion across the ACTPS.

Delivery: Two eLearning courses developed by SBS and delivered via ACTGOVLearn. **Since mid-2020, approximately 3,000 employees have completed these e-learning modules.**

Qualification/Award: Certificate of completion.

Focus:

- One “core” inclusion module covers a range of topics including unconscious bias, assumptions, empathy and curiosity and intersectionality; and
- One additional Aboriginal and Torres Strait Islander module covering cultural awareness, myth busting, family, and kinship, impacts of colonisation and Stolen Generations, working together and moving forward, celebrating success.

Target Audience: All ACTPS employees

Cost in 2020-21: ^{Schedule 2.2(a)(xi)} for a 12-month subscription. Courses are free to all staff.

Additional Information: WCAG began funding these modules in mid-2020.

Public Sector Management Program

HELD IN 2020-21 BUT NOW CONCLUDED

Note. Dedicated inclusion budget funding for this course ran out at the end of 2020-21. There are no current funding to offer it again.

Purpose: The Public Sector Management Program has been developed for mid-level managers in the Australian Public Service.

Delivery: Queensland University of Technology

Qualification/Award: Graduate Certificate in Business (Public Sector Management)

Elements: The program is run over a 15-month period with a mixture of work-based learning and workshops, delivered within a virtual learning environment. The program has four units:

- Managing within the context of government.
- Managing self and others.
- Managing Operations for outcomes; and
- Managing outwards in a networked government.

Participants also complete a work-based project.

Target Audience: SOGC-SOGA (and equivalents)

	2020-21
Aboriginal and Torres Strait Islander People	7
People with Disability	6
Total	13

Cost: Schedule 2.2(a)(xi) per participant, Total centrally funded = Schedule 2.2(a)(xi)

Additional information: Directorates also fund other employees to undertake this Program.

Future Shapers Program

HELD IN 2020-21 BUT NOW CONCLUDED

- Dedicated inclusion budget funding for this course ran out at the end of 2020-21. There is no current funding to offer it again.

Purpose: The Future Shapers Program is a leadership development program for People with Disability.

Delivery: Disability Leadership Institute

Qualification/Award: Certificate of completion.

Elements: Participants attend an intensive 3-day workshop at the commencement of the program. Participants then attend twice-monthly development workshops and participate in six individual leadership coaching sessions. Participants also undertake a change management project.

Target Audience: ASO5-ASO6 (and equivalents)

Cost: Schedule 2.2(a)(xi) per participant. Total centrally funded = Schedule 2.2(a)(xi)

	2020-21
People with Disability	4

Australian Institute of Company Director's eLearning courses for Directors

HELD IN 2020-21 BUT NOW CONCLUDED

- NB: Dedicated inclusion budget funding for this course ran out at the end of 2020-21. There is no current funding to offer it again.

Purpose: The Australian Institute of Company Director's eLearning courses for Directors assist participants understand the governance requirements of becoming a Director or Board Member.

Delivery: eLearning courses developed by the Australian Institute of Company Directors

Qualification/Award: Certificate of completion.

Elements: Participants completed the following seven modules:

- The Director Mindset.
- The Role of the Board.
- The Role of the Director.
- Governance in Action.
- Effective Board Meetings.
- Conflicts of Interest; and
- Interpreting Financial Statements.

Target Audience: Senior Officers and Executives (and equivalents)

Cost: Schedule 2.2(a)(ii) per participant.⁴ Total centrally funded = Schedule 2.2(a)(ii)

	2020-21
Aboriginal and Torres Strait Islander People	4
People with Disability	2
Total	6

Quick Reference Guide to WCAG D&I Commitments *Does not include CMTEDD internal commitments	Source of commitment	Progress
<ul style="list-style-type: none"> - With the Office for Aboriginal and Torres Strait Islander Affairs, refresh the ACTPS Aboriginal and Torres Strait Islander employee network. - Pilot project to understand the nature and extent of systemic racism in ACTPS workplace settings. 	Aboriginal and Torres Strait Islander Agreement 2019-2028	<ul style="list-style-type: none"> - Yarning Brew Network originally started in CMTEDD by Aboriginal and Torres Strait Islander Employees and is now open to all Aboriginal and Torres Strait Islander Employees across the ACTPS. WCAG is working with the group to promote upcoming meetings within other Directorates. - [see BRF on Understanding Systemic Racism Pilot Project]
<ul style="list-style-type: none"> - Embed cultural competency within all government directorates and agencies - develop and implement policies and standards to value and recognise Aboriginal and Torres Strait Islander people for the cultural knowledge and leadership they bring to the performance of their duties - work with CIT Solutions to develop a strategy for the ACT Public Service to leverage the Commonwealth Indigenous Apprenticeship Program for recruitment of Aboriginal and Torres Strait Islander people into the ACT Public Service. 	ACT Aboriginal and Torres Strait Islander Agreement Elected Body Reports on the Outcomes of the ATSIEB Hearings 2019	<ul style="list-style-type: none"> - WCAG has implemented whole of government e-learning which staff can access for free. For detail refer section on SBS e-learning - Enterprise Agreements recognise and encourage the contribution that people with diverse backgrounds, experience and skills make to the workplace. - CIT is instrumental in providing participants in the ACTPS Aboriginal and Torres Strait Islander Vocational Employment Program with Learning and Development to meet their different career goals. Recent participants have completed Certificate IV courses as Trainees in: Education Support, Government and Horticulture.
<ul style="list-style-type: none"> - Promoting the purpose and operation of the whole of government flexible work policy, including employment opportunities across whole of government for older Canberrans. 	Age Friendly City Plan 2020-24	<ul style="list-style-type: none"> - See Brief on Flexible Work
<ul style="list-style-type: none"> - Conduct Vocational Employment Program 	Budget Performance indicator 2022-23	<ul style="list-style-type: none"> - Latest VEP program now complete with 91% participant completion rate
<ul style="list-style-type: none"> - providing genuine employment opportunities for people with disability. 	National Disability Strategy	<ul style="list-style-type: none"> - Employment targets reset and latest Vocational Employment Program for People with disability now complete.

CM22/13543

Portfolio/s: Chief Minister

Chief Minister

ACTPS Graduate Program

The ACTPS Graduate Program attracts and recruits graduates from a broad range of disciplines, and develop and hones their expertise to give them the foundation to become future leaders in the Service.

Table 1: Shows the ACTPS Graduate Program graduate participant numbers (cohort size) by program year

Program Year	2017	2018	2019	2020	2021	2022
Total Cohort size	38	50	43	42	72	66
Talent Bank Graduates <small>(as a proportion of Total cohort size)</small>					14	4

Recent Cohort Demographics

The program attracts applicants from across Australia to contribute their diverse skills, expertise, backgrounds and characteristics to the Service.

Table 2: Attraction pool and Diversity demographics within the ACTPS Graduate Program

	2021	2022
Attraction pool		
Interstate graduates relocating to Canberra	34 (47%)	31 (47%)
Gender		
Female	50 (69%)	35 (53%)
Male	22 (31%)	27 (42%)
Non-binary/Intersex/Unspecified I choose not to disclose		2 (3%) 1 (2%)
Diversity	47 of the 72 (65%) Graduates identified with one or more of diversity groups:	41 of the 66 (%) Graduates identified with one or more of diversity groups:
Aboriginal and Torres Strait Islander	1	0
People with Disability	13	9
Cultural and Linguistically Diverse	18	18
LGBTIQA+	13	13
Former ADF members	2	1

***Note:** All percentages are rounded to nearest whole number.

Attracting and retaining Aboriginal and Torres Strait Islander Graduates

Table 3: Aboriginal and Torres Strait Islander graduates as a proportion of the overall ACTPS Graduate Program by program year

Program Year	2019	2020	2021	2022
Total Graduate Program Cohort	43	42	72	66
Aboriginal and Torres Strait Islander Graduates	0	1	1	0*
Aboriginal and Torres Strait Islander Graduates as a % of the cohort	0%	0.02%	1.4%	0%

- *3 applications received from Aboriginal and Torres Strait Islander graduates for the 2022 Graduate program.
- 2 unsuccessful through selection and 1 declined the final employment offer.
- The number of Aboriginal and Torres Strait Islander graduates both applying to and selected for the Graduate Program has been low over the last several years. Anecdotally, it is noted that:
 - The ACT 'market' for Aboriginal and Torres Strait Islander graduates is extremely competitive with the majority of local graduates choosing to go to well recognised APS departments.
 - In past years, our Aboriginal and Torres Strait Islander graduates have largely come from interstate.
 - Restrictions on interstate travel driven by the COVID Pandemic during the last 24 months has impacted retention of Aboriginal and Torres Strait Islander graduates and likely initial attraction also.
- The team is actively investigating ways to increase attraction of Aboriginal and Torres Strait Islander graduates to the Program for 2023 and future years, by promoting to community groups, tertiary and secondary education streams.
- The new psychometric testing introduced in 2021 has been reviewed extensively to ensure it does not create an inherent disadvantage for Aboriginal and Torres Strait Islander graduates.
- In 2019 the Graduate Program application period was extended by approximately three weeks to seek a wider pool of applications from candidates who are people with disability and Aboriginal and Torres Strait Islander candidates.
- During this time, a specialist recruitment services company, Yerra Consulting, was engaged to source applications from Aboriginal and Torres Strait Islander candidates.
- Three extra applications were received from Aboriginal and Torres Strait Islander candidates as a result of this action.

Graduate Cohort Support During the COVID-19 Global Pandemic

- COVID-19 lockdowns and broader restrictions have impacted the 2020, 2021 and 2022 Graduate cohorts
- A range of support mechanisms have been developed to assist both our graduates and the service to respond to these challenges in an agile way:
 - Specifically, for the 2022 Cohort, **support includes:**
 - Wholly **online recruitment and selection process**, including interviews and group assessments
 - **Online induction and onboarding** at both Service and Directorate levels
 - **Commencement into majority of roles in work from home environment** at the start of rotation 1 (31 Jan 2022)
 - Hybrid working and **‘starting a new role from home’ resources provided** at induction to both graduates and supervisors
 - **Hybrid working learning module** incorporated into 2022 Learning & Development Program
 - **Mental health and wellbeing session** delivered during 2022 Graduate Induction event
 - **2022 Learning & Development Program can be delivered entirely online**
 - 2022 Learning & Development Program **designed to create supportive and connective learning environment** with multiple networking and peer learning and support opportunities within small, consistent learning cohorts.

Graduate Program Talent Bank

- In September 2020, as part of the 2020 Youth Support Package, the Government committed \$2m over the next two financial years to expand the Graduate Program by 20% to support young people find jobs in the community.
- This commitment recognises the Program’s value in assisting graduates to begin high-performing, mobile and impactful careers in the ACTPS.
- In order to deliver on this commitment, WCAG developed a ‘Graduate Talent Bank’. The Talent Bank allows the ACTPS to more flexibly recruit a greater number of talented graduates by creating an oversupply of resource in the short term, knowing that there will be appropriate roles advertised over the coming months and these graduates can fill that gap.
 - Doing so increased the intake of graduates by 19.4%, capturing additional talent for the ACTPS and helping to address unemployment and reducing recruitment overheads by drawing from an existing pool of proven high quality candidates.
- Overarching Talent Bank Program intention: Chief Minister requested the ACTPS to:
 - Increase the intake of graduates by 20% over duration of the program.
 - Capture additional talent for the ACTPS to meet critical business needs.

- Help to address unemployment in the region.
- The subsequent implementation of the Talent Bank Program aids in:
 - reducing recruitment costs for Directorates.
 - reducing time taken to recruit.
 - developing capability in Graduates.
 - meeting critical business needs; and
 - building towards an agile, responsive and innovative ACTPS.

Table 4: Shows Talent Bank Graduates as a proportion of the overall ACTPS Graduate Program by program year

Program Year	2020	2021	2022
Graduate Nominations	42	58	60
Talent Bank Graduates		14	6
TOTAL	42	72	66

2020-2021 Talent Bank

- In 2021 the Graduate program recruited 14 Talent Bank graduates.
- 11 were permanently placed prior to Rotation 3 in August 2021 (3 resigned to take up other roles).
- The recruitment of the 14 Talent Bank graduates delivered the needs of the service under budget and timeframe.

2021-2022 Talent Bank

Roll-over of original Youth Support funding has allowed the government to continue to offer and develop the ACTPS Graduate Program - Talent Bank.

Table 5: Shows Youth Support Funding expenditure to date (starting with \$2m assigned in 2020/2021)

Financial year	Calendar Year	Graduate Program number	Talent Bank number	Overall cohort number	\$ Spend: Youth Support Funding	\$ Remaining/ rollover: Youth Support Funding
	2020	41	NA	41	NA	NA
2020-21	2021	58	14	72	\$675,000	\$1,343,000
2021-22	2022	60	6#	66	\$179,000^ ^Expenditure to Dec '21 \$353,225*	\$989,775

					*Forecast for the full 2021/2022 year and assuming placement of all TB grads by end June '22	
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#19 Talent Bank graduates accepted offers in the 2022 Program.

- **13 have been placed in nominated roles prior to commencement of the Program,**
- 6 graduates commenced in the 2022 Talent Bank at the start of rotation 1
- The reduction in talent bank graduates as compared to available funding for the 2022 Program is a result of the current national talent shortage.
 - Both the Graduate Program and Talent Bank cohorts are undersubscribed for 2022:
 - Graduate Program – overall 22% decline rate
 - driving vacancies which have been filled by Talent Bank graduates prior to Program commencement
 - Talent Bank – overall 14% decline rate
 - 13 Talent Bank graduates have been placed in nominated roles prior to commencement of the Program

Graduate Program - Summary of improvements 2020-2022

During 2020-2022 a range of improvements were implemented across the ACTPS Graduate Program:

2020/2021 Recruitment

- A continued focus on the recruitment process resulted in several improvements in the recruitment of the 2022 ACTPS Graduate Program:
 - **Psychometric testing** was added to the suite of assessments used to find suitable candidates (in line with other competitive graduate programs across Australia) and **saving panellists an estimated full day of work each.**
 - **Virtual Assessment Centres** piloted in 2020 continued and the process was further refined to create a more efficient process and experience for candidates and panellists and removed the need for scribing services at a saving of **\$37,284;** and
 - **Shortlisting** was conducted by the Graduate Talent Team to reduce the impact on panellists and ensure the progressed candidates were a good fit for the roles available across the service and saving panellists an estimated one day of work.

2021/2022 Program Delivery

- The improvements identified in 2020-21 have been implemented resulting in a cohort of 66 graduates (including 4 Talent Bank graduates) who commenced the 2022 program on 31 January 2022.
- The development of an internal SharePoint provides information and resources tailored for our diverse stakeholders.
- A new learning and development program is currently being developed which will focus on core public service skills which have been validated by directorates for their value.
- Networking opportunities have been built into the program for graduates to feel a sense of belonging and to build their professional networks.
- A virtual induction session was designed with a strong focus on performance and ACTPS values and behaviours.
- A focus is being put on monitoring probation reports and intervening early if issues arise.
- Ongoing engagement with directorates is occurring to ensure our recruitment practices meet the needs of the service, and to understand their needs for the qualifications, behaviours and experiences they want graduates to possess.
- Regular reporting is being implemented to reflect the satisfaction of directorates with the program through end of rotation surveys (rather than measuring percentage of graduates completing the program).

2022 Graduate Program – Recruitment

Recruitment process	Dates	# Candidates
Applications	24 June 2021 – 1 August 2021	976
Psychometric testing	18-15 August 2021	976
Virtual Assessment Centre	5-19 October 2021	172
Preliminary Offer	November 2021	111
Declines		23
Formal Offer	December 2021 – January 2022	88
Declines		22
2022 cohort commence	Jan-Feb 2022	66

- In June 2021, recruitment for the 2022 program commenced with applications opening on 24 June 2021 and closing on 1 August 2021 resulting in 976 applications being received.
- In August 2021, eligible applicants were invited to undertake psychometric testing (18-25 August) to best fit applicants to the needs of the service.
- In September 2021, applicants were matched by best fit of qualifications, behaviours and experiences to the positions nominated by directorates resulting in 204 candidates being invited to attend the Virtual Assessment Centre
- In October 2021, candidates attended the Virtual Assessment Centre (5-19 October) and were assessed against written, group and interview tasks
- In November 2021, 111 candidates were made a preliminary offer of employment, of which 23 were declined (leaving 88).
- In December 2021 and January 2022, 88 candidates were made formal offers of employment, of which 22 were declined – leaving a cohort of 66 graduates for the 2022 program.

CM22/13223

Portfolio/s: Chief Minister

Chief Minister

ACTPS Staffing Numbers

Talking points:

- The **ACTPS grew by 6.6% (1,612 employees)** over the 2020-21 reporting period.
- Full-time equivalent (**FTE**) employment **increased by 5.8%, or 1,267.6 FTE** over the same period.
- As at 30 June 2021, 76.5% of employees were permanent employees, 16.7% were temporary employees and 6.8% were casual employees.
- ACT Health experienced the largest growth of 31.6% (FTE), followed by Major Projects Canberra 21.9% (FTE), and then Transport Canberra and City Services Directorate 10.4% (FTE).
- For the financial year ending June 2021, the Health Directorate FTE has indicated the increase is directly relevant to the:
 - Commencement of the Digital Health Record Program in November 2020, to deliver the territory wide DHR system at all ACT Public health services; and Ongoing staffing within the Health Emergency Control Centre to coordinate the public health response to COVID-19.
- The recruitment rate for the ACTPS was 11.2%, slightly down from 11.9% in the previous year.
- The separation rate was 6.2% as at June 2021 (compared to 6.1% at June 2020).
- As at 30 June 2021, 65% of the ACTPS were women, 35% were men.

Key Information

- There were 26,141 employees in the ACT Public Service as at June 2021, up from 24,529 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.

Background Information

ACTPS Directorates	June 2020 FTE	June 2021 FTE	Percentage change (%)	June 2020 Headcount	June 2021 Headcount	Percentage change (%)
ACT Health	613.0	806.5	31.6%	651	869	33.5%
Canberra Health Services	6672.0	6887.7	3.2%	7597	7921	4.3%
Chief Minister, Treasury and Economic Development	2425.7	2565.7	5.8%	2513	2647	5.3%
- <i>ACT Insurance Authority</i>	19.1	22.7	19.1%	21	24	14.3%
Community Services	975.0	966.4	-0.9%	1036	1032	-0.4%
Education	6397.9	6724.3	5.1%	7681	8177	6.5%
Environment, Planning and Sustainable Development	663.2	693.3	4.5%	700	738	5.4%
Justice and Community Safety	1943.5	2076.0	6.8%	2032	2186	7.6%
Major Projects Canberra	166.0	202.4	21.9%	168	205	22.0%
Transport Canberra and City Services	1901.8	2099.9	10.4%	2130	2342	10.0%
ACTPS TOTAL	21777.2	23044.8	5.8%	24529	26141	6.6%

CM22/12410

Portfolio/s: Chief Minister

Enterprise Agreements update & Bargaining Process

Talking points:

- With the exception of the Fire Fighters', Nursing and Midwifery and Teachers' agreements, all ACTPS enterprise agreements expired on 31 October 2021. The *Fair Work Act 2009* provides that an expired agreement continues in force until replaced.
- Bargaining formally commenced in early March 2021 and regular meetings with the unions were held. Out of session discussions were also held where specific technical matters require further discussion.
- There were challenges in progressing bargaining during periods of heightened COVID-19 transmission risk in the Territory as both unions and Government negotiation teams 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. The pay rise was made in time for Christmas in all agreements except the Health Professionals which was made in January 2022, with backpay due to be processed in February 2022.
- All 16 agreements have been approved by the Fair Work Commission.
- Bargaining for the new agreements is anticipated to be commenced soon, with NERRs scheduled to be issued at the end of February 2022. This includes all agreements except Fire and Rescue. The Education agreement is due to expire on 30 September 2022 and therefore will be included in the bargaining schedule for the end of February 2022.
- The Government looks forward to continuing to work with employees 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

- The new enterprise agreements require bargaining to commence by the end of February 2022. With the Health Professionals Enterprise Agreement having been approved by the Fair Work Commission on 4 February 2022, bargaining will shortly commence for all agreements due to expire in 2022.
- All new claims, including on matters such as superannuation claims will be considered when bargaining recommences from the end of February 2022.

CM22/14522

Portfolio/s: Chief Minister

Enterprise Agreements – New Leave Entitlements

Talking points:

- New enterprise agreements are in place (with the exception of the Fire Fighters' Agreement) and are due to expire on 31 October 2022. They have introduced additional leave entitlements to support ACTPS employees.
- **Miscarriage** - The new agreements provide a new compassionate leave entitlement of up to 5 days to an employee who experiences a miscarriage, or where an employee's domestic partner experiences a miscarriage (where a pregnancy ends before reaching 20 weeks).
- The new agreements provide clarification that the death of a member of the employee's immediate family or household also includes a child that is still born for the purposes of compassionate leave. Where an employee's pregnancy ends by stillbirth, the employee continues to be eligible for paid and unpaid birth leave.
- **Disability** - The new agreements provide disability leave to employees to enable them to be absent from duty for the purposes of activities associated with an employee's diagnosed permanent or ongoing physical or psychological disability.
- Employees eligible for disability leave will be entitled up to a maximum of 5 days/shifts of disability leave per calendar year, subject to the provision of appropriate evidence. Disability leave is non-cumulative.
- **Surrogacy** - The new agreements provide for a new Surrogacy leave type to pregnant employees who have entered into a valid surrogacy arrangement to enable them to be absent from duty to support their own wellbeing and support the employee's right to continuity of service.
- An employee who is eligible for paid surrogacy leave is entitled to 12 weeks of paid leave in relation to each surrogate birth.
- **Gender transition** - The new agreements provide a new gender transition leave type to employees to enable them to be absent from duty for the purposes of activities associated with affirming an employee's gender.
- Gender transition leave is available to an employee for the first 52 weeks after commencement of living as in a way that affirms their gender identity. An employee undergoing gender transition is entitled, subject to the provision of appropriate evidence, up to 4 weeks (20 days) paid leave and up to 48 weeks unpaid leave.

Key Information

- Enterprise bargaining is an opportunity to support change and strengthen ACTPS employment arrangements.

- Previously, an employee could access up to 5 days compassionate leave with pay for each occasion of the death of a member of the employee's immediate family or household, and additional paid or unpaid compassionate leave subject to delegate approval. This did not apply to miscarriages.
- Disability leave is a new leave type, and supports the Territory's commitment to being an equitable employer and to support employees with disability to balance their work commitments with appointments or like activities associated with their disability. The ACTPS is the first public sector agency to introduce disability leave.
- Under the new agreement, employees will no longer be eligible for birth leave where the employee is a surrogate.
- Amendments were also made to primary care giver leave and adoption and permanent care leave types, consistent with birth leave, to enable employees to take these leave types in a non-continuous manner.
- The new leave types has supported our ability to attract and retain workers in the ACTPS.

Background Information

- Bargaining will recommence at the end of February 2022.
- The ACTPS is developing guidance material and training to ensure the new leave entitlements are implemented consistently across the Territory.
- The new leave types will undergo monitoring and evaluation.

CM22/13225

Portfolio/s: Chief Minister

Chief Minister

State of the Service Report

Talking points:

- The 2020-21 State of the Service Report was tabled on 2 December 2021.
- An extension of time to present the ACT Government 2020-21 Annual Reports, including the State of the Service Report, was deemed necessary to address the operational impacts of the COVID-19 public health emergency on the ACT Government.
- The Pilot ACTPS Employee Survey was completed on 13 August 2021. Key insights from the Survey were incorporated into the 2020-21 State of the Service Report.

Key Information

2020-21 workforce profile data at a glance

- As at 30 June 2021, there were 26,141 employees in the ACT Public Service (an increase of 1,612 employees, or up 6.6% from the previous year).
- Female employees comprise 65.0% of the ACTPS workforce, compared with 64.8% in the 2019-20 reporting year.
- 2.9% of total ACTPS employees identify as having a disability and 21.5% identify as having culturally and linguistically diverse backgrounds.
- The number of Aboriginal and Torres Strait Islander people employed within the ACTPS increased from 489 at June 2020 to 517 employees as at June 2021 (an increase of 5.7%).
- A total of 304 employees make up the Senior Executive Service, accounting for 1.16% of the total ACTPS headcount. 53.3% of executive positions were held by women. The Executive headcount increased by 8.6%
- The gender pay gap of 0.8% for the ACTPS is significantly lower than the ACT labour force (7.9%) and the Australian labour force (14.2%).
- In February 2021, 72 graduates joined the ACTPS, an increase of 71% in the graduate intake from 2020.

Background Information

- The Head of Service must provide an account of the operations of the ACT Public Service during the reporting year (a state of the service report).
- The State of the Service Report must also include data on investigations conducted by the Public Sector Standards Commissioner and workforce profile data in relation to the wider ACT Public Sector during the reporting year.

CM22/12358

Portfolio/s: Chief Minister

Chief Minister

ACTPS Pilot Employee Survey update

Talking points:

- The Pilot ACTPS Employee Survey was completed on 13 August 2021.
- The Pilot Survey is 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, 10 themed occasional papers will be developed and released on a monthly schedule commencing in March 2022.

Key Information:

- The 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 this pilot survey is \$172,340 (incl GST).
- Based on the success of the 2021 pilot, a proposal is being developed seeking to establish the ACT Public Service (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 all directorates and sector entities will 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.
- In the ACT, a similar whole-of-Service Survey was conducted in May 2014 (the People Matter Survey). The response rate of 29% was low compared with similar Surveys in other jurisdictions.

CM22/12493

Portfolio: Industrial Relations and Workplace Safety

Secure Employment Framework

Talking points:

- Achievements until end of financial year 30 June 2021
 - The Insecure Work Taskforce operated during the reporting period, converting 173 non-ongoing employees of the Territory to permanent employment
- Achievements since end of financial year 30 June 2021
 - The Secure Workforce Conversion process built on the work previously undertaken by the Insecure Work Taskforce and incorporates the new Fair Work Act Casual Conversion policy. Since 30 June 2021, 175 non-ongoing employees of the Territory have been converted to permanent employment.
 - The Insourcing Framework build has commenced, with legislation to establish the Framework presented in the Legislative Assembly on 2 December 2021.
- The Government is now achieving secure employment in the Territory through these two key initiatives:
 1. Secure Workforce Conversion process, through the joint taskforce operated by ACT Unions and the Government; and
 2. Insourcing Framework, which is due to commence in May 2022.

Key Information

- Insecure work taskforce
 - The Insecure Work Taskforce was established in the common clause of the ACTPS enterprise agreements and is a joint ACT Unions and Government taskforce working together to achieve greater job security for employees of the Territory.
 - During the reporting period, 2 rounds of the Insecure Work Taskforce were completed, with a total of 173 non-ongoing employees being converted to permanent employment.
 - Since the reporting period, two more rounds have operated with an additional 103 non-ongoing employees converted to permanent employment in July 2021 and 72 non-ongoing employees converted to permanent employment in December 2021.