



Commissioner for Public Administration

AGENCY SURVEY REPORT 2009





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1 Introduction

In recent years the Commissioner for Public Administration (Commissioner) has sought information from agencies about people management practices across the ACT Public Service (ACTPS). This has taken the form of a short agency survey covering areas such as values and ethics, workplace equity and diversity, workforce planning and human resource management.

This publication covering the 2009 calendar year is the latest in a series of reports which document the results derived from the agency survey. While each year the survey has been modified to suit the priorities of the time, the information collected continues to serve as a monitor of current organisational culture, informing high level priorities and areas for future activity.

Any questions about the survey or this report should be addressed to:

Employment Policy
Public Sector Management Group
ACT Chief Minister's Department
GPO Box 158
Canberra ACT 2601

1.1 Methodology for 2009

This report relies on raw data the Commissioner collects under section 23 of the *Public Sector Management Act 1994* (PSM Act) and responses to a formal agency survey. The 2009 survey was based on previous years' surveys, undergoing a minor redevelopment over the first quarter of 2010. The survey retained core questions similar to those of previous years. In response to feedback from the 2008 survey, minor edits have been made to the survey to improve clarity.

Questions were grouped across four main areas:

- fourteen questions covered values, ethics and culture;
- ten questions covered workplace equity and diversity;
- fifteen questions covered workforce planning including attraction and retention; and
- six questions covered human resource management.

Twelve ACTPS agencies completed the survey¹:

- ACT Health (Health);
- ACT Planning and Land Authority (ACTPLA);
- Calvary Health Care ACT - Public Division (Calvary);

¹ The agencies asked to complete the survey were those who employ staff under the PSM Act, the number of which may change from year to year due to administrative rearrangements. For example, the Department of Land and Property Services (LAPS) was established very late during 2009 and was therefore not required to complete the survey.

- Canberra Institute of Technology (CIT);
- Chief Minister's Department (CMD);
- Department of Disability, Housing and Community Services (DHCS);
- Department of Education and Training (DET);
- Department of Justice and Community Safety (JACS);
- Department of Territory and Municipal Services (TAMS);
- Department of the Environment, Climate Change, Energy and Water (DECCEW);
- Department of Treasury (Treasury); and
- the Land Development Agency (LDA).

This year, the survey was distributed, answered and analysed electronically rather than in hard copy, using an online tool developed by a third party.² The tool enabled the preparation of the survey and analysis of responses to be achieved entirely in-house. The survey will be reviewed in 2010 for the purpose of improving clarity and facilitating easier analysis of responses.

2 Values, Ethics and Culture

In the first section of the survey, agencies were asked to provide information about:

- the extent to which they integrate values and ethics into their learning and development activities and performance management systems;
- measuring executive behaviour, and executive training and ethics;
- breaches of section 9 of the PSM Act (the ACTPS code of ethics);³ and
- systems for reporting on and addressing bullying and harassment behaviour.

As public officials holding positions of trust, ACT public servants have special obligations. Living up to the requirements of public office and sustaining the confidence of the public requires agencies and their employees to make decisions and exercise power in an open and accountable manner. To do this, the conduct of public employees must conform to appropriate laws, values, principles and procedures.

The PSM Act, together with the Public Sector Management Standards 2006 (the Standards), set out service-wide values, principles and obligations for public employees. All persons employed under the PSM Act are subject to these values, principles and responsibilities.

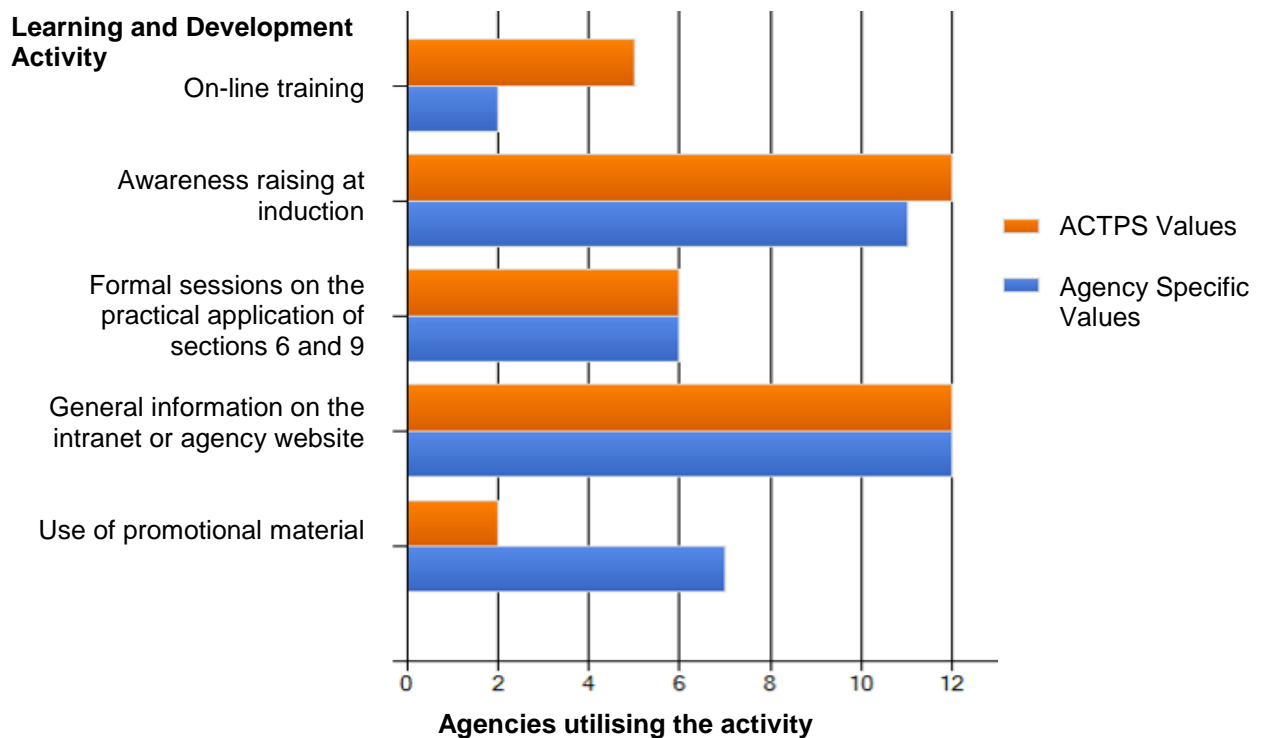
² See <http://www.surveymonkey.com>.

³ Note that the terms 'code of ethics' and 'section 9' are used interchangeably throughout this report.

2.1 ACTPS Values, Ethics and Learning and Development

Agencies were asked a series of questions on the extent to which they embed the ACTPS values and ethics at sections 6 and 9 of the PSM Act into their culture and practice. Figure 1 shows that the ACTPS is committed to the promotion of and adherence to both whole of service and agency specific values and ethics.

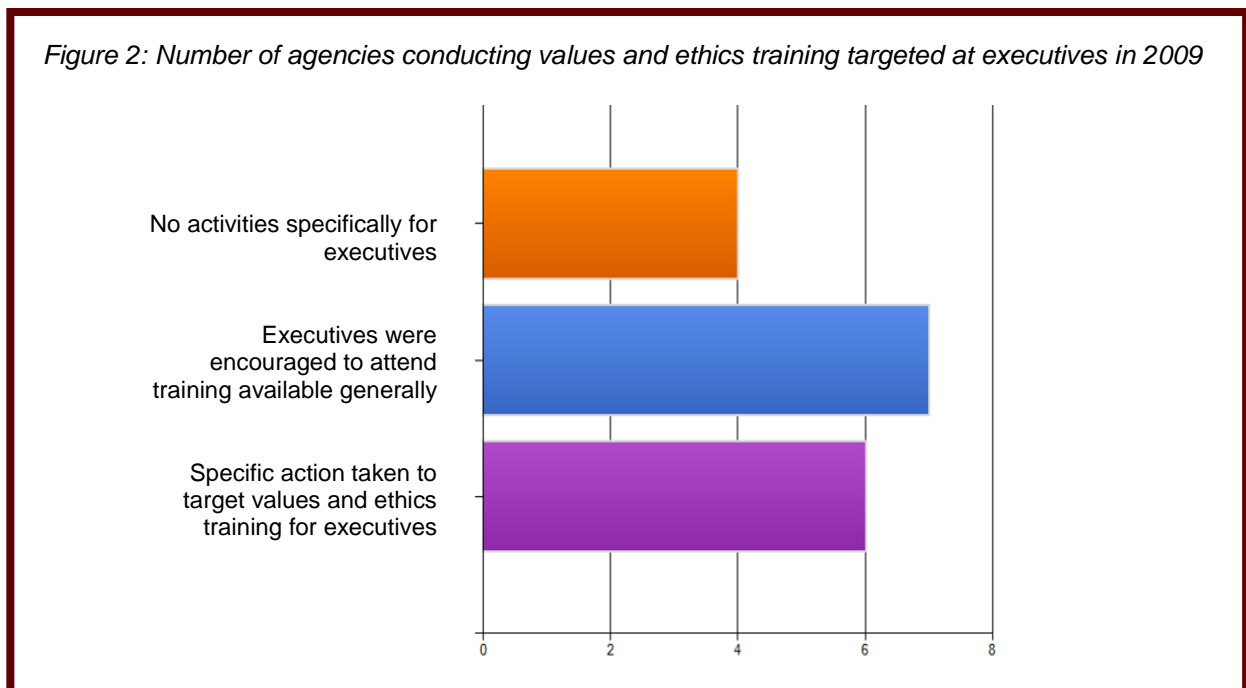
Figure 1: Number of agencies undertaking specific learning and development activities on the ACTPS Values, the Code of Ethics, and/or agency-specific values during 2009



Survey responses indicate that all agencies are providing learning and development opportunities for their staff on ACTPS values, the code of ethics and/or agency-specific values. Agencies reported that they incorporate values and ethics awareness raising into their learning and development programs mostly at the point of induction but also through the use of online material. Only half of those surveyed reported conducting formal sessions on values and ethics in 2009. However, ethics training is typically conducted on an approximately eighteen-month cycle and evidence of work in this area may not appear in every report. For example, during 2010 work has been done on ethics awareness raising at a whole-of-government level and this initiative will appear in next year's report.

2.2 Executives, Training and Ethics

The next question asked agencies to report on whether they had conducted any targeted training on values and ethics for executives during 2009. Responses indicate that half of the agencies surveyed conducted specific activities aimed at executive levels. Seven agencies reported that executives were encouraged to partake in activities available to staff generally while four agencies reported not taking any specific action. These results are represented in figure 2.



Agencies were provided with an opportunity to give examples of what activities they offered executives in the way of ethics training during the reporting period. Agency responses are summarised below.

Ethical Leadership in the Public Sector

JACS executives attended a course designed exclusively for leaders tailored to the ACTPS environment called Ethical Leadership in the Public Sector. The course was facilitated by renowned police corruption whistleblower Simon Illingworth, a former police officer with the ethical standards department of the Victorian Police.

New Departmental Values

After DECCEW was established, executives from the department chaired workshops aimed at developing a core set of department-specific values based on the ACTPS values. Executives led the finalisation and codification of those values with input from all staff across the department.

2.3 Breaches of the ACTPS Code of Ethics

Survey responses reveal that in 2009, there were 104 formal investigations into alleged breaches of section 9 of the PSM Act.⁴ Of these, eighty-three were finalised.

Figure 3: Formal Investigations into Breaches of Section 9 of the PSM Act 2003-04 – 2009

	Number of Breaches Investigated					
	2003-04	2004-05	2005-06	2007	2008	2009
Commenced	42	57	120	107	100	104
Finalised	43	47	103	87	88	83

As shown in figure 3, the number of investigations conducted during 2009 was comparable to the previous two years, less than the 2005–06 period, but substantially higher than the 2003–04 and 2004–05 reporting periods. The reason for the discrepancy between 2004–05 and 2005–06 figures is unclear.

Similar to previous years, individual agency responses show great variation in the number of investigations conducted by each agency. Generally, the data continues to reveal a proportionate relationship between the size of an agency (i.e. the number of staff) and the number of investigations into section 9 breaches they carry out. Two agencies conducted twenty or more investigations, three agencies conducted between ten and twenty investigations and the remaining agencies conducted fewer than ten investigations. Two agencies did not conduct an investigation into a suspected breach of section 9 of the PSM Act during the reporting period.

Responses indicate that investigations were most common for alleged failures in relation to the following section 9 obligations:

- 9(a) exercise reasonable care and skill (44 investigations);
- 9(d) treat members of the public and other public employees with courtesy and sensitivity to their rights, duties and aspirations (32 investigations);
- 9(h) comply with the Act and all other Territory laws (24 investigations); and
- 9(i) comply with lawful and reasonable directions given by a superior with appropriate authority (23 investigations).

This is consistent with previous years' results.

⁴ Individual cases may involve multiple parts of section 9 of the PSM Act.

Agencies were also asked to report on the outcomes of investigations into alleged breaches of section 9 of the PSM Act. In previous years, the most frequent outcomes for substantiated breaches were: admonition and reprimand; separation of the employee (through dismissal or resignation) and counselling. Figure 4 summarises these results for 2009.

Figure 4: Outcomes of investigations into alleged breaches of section 9 of the PSM Act

Outcomes	Number of times employed
Employee counselled	34
Written admonishment of the employee	11
Employee given first or final written warning	27
Financial penalty imposed	4
Employee transferred to other duties	0
Deferral of increment	1
Reduction in incremental point	4
Temporary or permanent reduction in classification	0
Termination of employment	10

In 2009, the options put to agencies were slightly different than in previous years, being modelled more strictly on the misconduct and discipline procedures that exist in the ACTPS legislative employment framework. A straight comparison to previous years' results is therefore not possible. However, the results follow a broad trend indicating that agencies continue to favour counselling, admonishment or warning an employee before applying more punitive measures. No agency reported as having transferred an employee to other duties, or temporarily or permanently reducing an employee's classification as a result of investigations.

Agencies were also asked what measures they had in place to ensure investigation processes and sanctions imposed as a result of substantiated breaches of section 9 were consistent from one matter to another. Figure 5 summarises responses to this

question. In relation to procedural consistency, agencies report that they rely on the ACTPS transaction and HR support agency, Shared Services, as their preferred way to achieve consistency. In the open ended part of this question, two agencies reported that engaging an independent external investigator can serve to ensure consistency.

Figure 5: Measures in place during 2009 ensuring processes used to investigate suspected breaches of section 9 of the PSMA are consistent

Measure in place	Number of Agencies utilising this measure
Central unit conducts all investigations	6
HR/Employee relations provides guidance and support to people conducting investigations	12
Procedures given to those conducting investigations	6
Use of Service/Client Charters	2
Use of Shared Services Centre	11
Investigations referred to SERBIR	10

As shown, all agencies provide guidance and support for investigations through their Human Resource (HR) / Employee Relations areas while the majority of agencies also use Shared Services or refer investigations to their Senior Executive Responsible for Business Integrity and Risk (SERBIR). Four agencies also reported being in the process of developing a framework, policy or client service charter dealing with workplace behaviour.

Next, the survey looked at consistency in applying sanctions once section 9 breaches have been found to have occurred. In determining an appropriate course of action following a breach of section 9, most agencies reported that the delegation for applying sanctions is strictly limited and that, once again, central HR areas are consulted when deciding on the sanction. This is similar to results for the 2007 and 2008 reporting periods. Figure 6 overleaf summarises the measures agencies have in place to ensure that sanctions imposed as a result of investigations into reported breaches of section 9 of the PSM Act are applied appropriately and consistently.

Figure 6: Measures in place ensuring appropriate and consistent use of sanctions for breaches of section 9

Measure in place	Number of Agencies utilising this measure
Sanction recommended by central unit within the agency responsible for all investigations	7
Delegation for applying sanction is strictly limited	11
Guidelines provided to those investigating include what to consider when deciding sanction	6
Central HR and/or legal area consulted when deciding sanction	10
Database of sanctions maintained and referred to as part of process for deciding sanction	2
Sanction recommended by Shared Services	8

2.4 Bullying and Harassment

Agencies were asked a series of questions on the incidence of bullying and harassment in the workplace and the steps being taking to minimise incidences and the effects.

Almost all agencies (eleven out of twelve) had a system in place for employees to report bullying and harassment. These systems include a mix of procedural and preventative measures. Agencies indicated that the following are the dominant features of their reporting system:

- the option of additional support from an external provider (twelve agencies);
- identified contact person for reporting matters (ten agencies);
- procedures/policies in place to ensure appropriate confidentiality (ten agencies);
- awareness-raising with staff about bullying and harassment (ten agencies);
- accessible and effective reporting system (nine agencies);
- specialised training for contact staff (eight agencies); and
- use of promotion materials e.g. posters, brochures (eight agencies).

All agencies surveyed report having record keeping systems in place to monitor the incidence of bullying and harassment (up one from the 2008 period and up five from the 2007 period). Figure 7 shows the incidence of bullying and harassment in ACTPS agencies during 2009.

Figure 7: Incidence of Bullying and Harassment 2009

Reports of Bullying and Harassment	
2009	
Reported	39
Investigated	20
Substantiated	4

In all, a total of thirty-nine reports of bullying and harassment were recorded during 2009, with twenty of these resulting in formal investigations. These figures are identical with last year however this year only four of these investigations found that bullying or harassment had occurred whereas last year ten incidents were substantiated.

The next part on bullying and harassment asked agencies about the strategies in place to deter bullying and harassment behaviour. Most agencies reported that they had taken specific action to address the incidence of bullying and harassment. All agencies surveyed include information at induction about the inappropriateness of bullying and harassment, while approximately one in two agencies have strategies in place to raise awareness amongst their workforce and specific training programs for harassment contact officers. Figure 8 summarises the extent to which different agencies undertook particular activities to address bullying and harassment behaviour.

Figure 8: Action taken during 2009 to address bullying and harassment behaviour

Action taken	Number of Agencies
Training and awareness raising for all staff	7
Training for contact officers	5
Inclusion of information in induction	12
Inclusion of information in staff survey	4

Work being done at the whole-of-government level does not appear in these results. There was a significant amount of policy development work completed during the reporting period on revising the ACTPS Equity and Diversity Framework. The new *Respect, Equity and Diversity Framework* supports the development of targeted attraction, retention and capacity building initiatives (an area that will be looked at more closely later in the report) as well as respect in the workplace.

A number of those surveyed also reported using particular strategies to record and address the incidence of bullying and harassment in their agency, two of which are summarised below.

Exit Surveys

While the ACTPS strives to implement a standardised approach to exit surveys, CIT reported including a particular metric on bullying in their staff exit surveys to establish whether the employee had been subjected to bullying and harassment during their period of service. This is a particularly valuable strategy. Research on bullying and harassment behaviour has shown that people are less likely to report the behaviour for fear of reprisal. However, employees that are about to have no further connection to the organisation would be more willing to divulge information.

Specific In-house Resources

Calvary report utilising an early intervention approach which facilitates access to trained workplace mediators as a way of addressing situations arising from inappropriate workplace behaviour. Staff also have access to a dedicated 'Standards of Behaviour' folder containing links to policy as well as practical guidance on dealing with difficult workplace behaviours. The contents of the folder are also made available to staff more widely via the agency's intranet.

3 Workplace Equity and Diversity

The Chief Minister has identified the development of a renewed workplace equity and diversity framework as a priority area for the Commissioner. To address the discrepancy in levels of education, income and labour force participation rates for certain groups such as Aboriginal and Torres Strait Islander people and people with a disability, it is imperative that employers develop strategies to encourage people from these target groups to be represented in the workforce. Such strategies will promote better social inclusion and ensure the composition of the ACT Public Service is reflective of the broader community.

For the 2009 Survey, in relation to workplace equity and diversity agencies were asked to report on employment strategies in place, to advise on the status of equity and diversity plans, and to report on the proportion of Aboriginal and Torres Strait Islander staff and staff with a disability compared with the rest of the ACTPS.

3.1 Equity and Diversity Plans

Of the twelve agencies surveyed, half reported that they had an equity and diversity plan in place while the remaining six agencies reported that a plan was in development.⁵ Six agencies also reported that they had reviewed their equity and diversity plan in the last two years while a further two agencies had reviewed their plan within the previous five years.

All agencies with an equity and diversity plan reported that the following groups were included in the plan:

- Aboriginal people, being people who are descended from, identify as, or are accepted by an Aboriginal community as, Aboriginal people;
- Torres Strait Islanders, being people who are descendants of an indigenous inhabitant of the Torres Strait Islands;
- people who have migrated to Australia and whose first language is a language other than English, and the children of such people;
- people who identify as having a disability; and
- women.

One agency also reported that age diversity information was included in their equity and diversity plan.

As already mentioned, an initiative not captured in survey results was the whole-of-government level review of the ACTPS Equity and Diversity Framework. During the reporting period significant work was undertaken to develop the new *Respect, Equity and Diversity Framework*. Based on the equity and diversity profile in the new Framework, work during 2010 focused on developing two complementary employment strategies: the ACTPS Aboriginal and Torres Strait Islander Employment Strategy and the ACTPS People with a Disability Employment Strategy. Through these strategies, the ACTPS aims to increase work opportunities and promote the economic and social inclusion of Aboriginal and Torres Strait Islander people and people living with a disability.

Progress on the implementation of the revised Framework and the two Employment Strategies will be reported on in the 2010 Agency Survey and the Commissioner's 2010–11 Annual Report.

⁵ Note that some agencies use the broader ACTPS *Equity and Diversity Framework* in place of an agency specific plan to address equity and diversity in their agency and as such, the reported figures are understood to be not entirely accurate. This will be addressed by reformatting the question for the next survey.

3.2 Employment of Aboriginal and Torres Strait Islander Staff

A pilot whole-of-government Indigenous Traineeship was run by DHCS during 2008 aimed at increased staffing levels of Aboriginal and Torres Strait Islander people in the service. The pilot program's success saw the implementation of a full traineeship program through 2009.

The traineeship gives Aboriginal and Torres Strait Islander people the opportunity to transition into ACTPS employment through a dedicated training program which focuses on the basic skills required of public sector employees. Trainees who complete the program achieve a certificate qualification and are offered permanent employment in the service. The program is supplemented by a number of ongoing support structures including trainee mentoring and cultural awareness training for supervisors. The traineeship has been a great success and has increased Aboriginal and Torres Strait Islander representation across the service.

The 2009 survey asked agencies about the strategies they use to recruit and retain Aboriginal and Torres Strait Islander staff. The most common strategies agencies reported using to recruit Aboriginal and Torres Strait Islander peoples were:

- participation in the whole-of-government Indigenous Traineeship Program, managed by DHCS;
- identifying certain positions requiring specified knowledge, understanding and ability; and
- employment measures which limit employment opportunities to Aboriginal and Torres Strait Islander applicants.

Agencies also recognised the importance of forwarding employment opportunity advertising to Aboriginal and Torres Strait Islander media outlets.

Survey results indicate that during 2009, only two agencies had a formal Aboriginal and Torres Strait Islander Employment Strategy in place and just one provided opportunities for Aboriginal and Torres Strait Islander people under a dedicated agency-based Aboriginal and Torres Strait Islander employment scheme. These results are similar to those reported in the 2008 period.

Reflecting an effort to retain Aboriginal and Torres Strait Islander people, eleven out of the twelve agencies surveyed had special leave conditions in place for Aboriginal and Torres Strait Islander employees, such as ceremonial leave and NAIDOC week leave. Five agencies provided Aboriginal and Torres Strait Islander cultural awareness programs to all staff, two more than last year.

A number of agencies reported they have put in place additional strategies in an effort to attract and retain Aboriginal and Torres Strait Islander employees.

Indigenous teaching scholarship and cultural awareness training

DET is developing a scholarship program for tertiary studies in teaching aimed at Year 11 and 12 students and to help those interested to manage the sometimes difficult transition from school to university. DET also reported that an agency based Indigenous cultural awareness training program is in development and will be delivered to all staff across the department in the coming months.

DHCS Reconciliation Action Plan

A particular highlight with respect to equity and diversity and Indigenous disadvantage was DHCS's work through 2009 in developing and promoting an agency Reconciliation Action Plan. The plan was endorsed by Reconciliation Australia and launched in June 2009. DHCS will also prepare a dedicated Torres Strait Islander attraction and retention strategy as part of the Reconciliation Action Plan. Progress against the Plan is coordinated and reported on by a Reconciliation Action Plan Working Group, including publishing biannual newsletters which can be found on the DHCS website.

Indigenous Support Network

Parks, Conservation and Lands within TAMS has created a support network for Aboriginal and Torres Strait Islander employees including a targeted mentoring program. These initiatives are complemented by Murumbung Yurung Murra (a Ngunnawal phrase meaning good strong pathways and a connection to lore and Country), which is a forum for Aboriginal and Torres Strait Islander staff in Parks, Conservation and Lands. TAMS also promote more general departmental guidelines for the recruitment and retention of Aboriginal and Torres Strait Islander employees which was put in place under TAMS' overarching Indigenous Employment Strategy.

3.3 Employment of Staff with a Disability

Two agencies reported that they worked with a Disability Employment Network to place people identifying with a disability in employment in their agency during 2009.⁶ Of these, only one agency reported employing staff under the arrangement — TAMS successfully placed four employees identifying with a disability in their department during the reporting period.

Agencies were also asked to respond to a series of questions about their implementation of specific strategies to support people with a disability. These questions were derived from the ACTPS Framework for the Employment of People with a Disability (launched by the Chief Minister on 9 September 2004) which supports the Access to Government Strategy.⁷

⁶ Disability Employment Networks are organisations that specialise in placing people with a disability in employment. Disability Employment Networks reported to have been used include Advance Personnel and Job Solve.

⁷ Accessible on the DHCS website at www.dhcs.act.gov.au

All agencies surveyed report that they modify operational policies and procedures to assist and support people with a disability, which is consistent with previous year's findings.

Two-thirds of agencies surveyed reported that during 2009 they did not review operational policies and procedures to ensure that they support inclusive work practices for people with a disability. Similarly, in the last two years two-thirds of agencies have not reviewed their workplace in line with the Access to Government Strategy to assess whether the services and facilities they provide are accessible to members of the community with a disability, nor did these agencies have a formal support structure in place to assist people with a disability in the workplace. While experience suggests that this may be achieved informally, the Commissioner will look closely at this result and encourage agencies to act in this area during 2010.

4 Workforce Planning – Attraction and Retention

To be a leading employer it is critical to think carefully about how to make the Service a desirable place to work and how employees may be encouraged to stay.

The Commissioner has a particular interest in the initiatives agencies use to attract and retain talented individuals and what specific strategies they have in place to facilitate effective workforce planning. This section of the survey asked agencies to report on performance management and employee development, the workforce challenges agencies face, what workforce planning strategies they use, how they attract and retain individuals to fill identified skill gaps, and what strategies they employ to identify and foster the talents of high performing individuals and reduce staff turnover.

4.1 Performance Management

The survey asked agencies whether they had a performance management and development framework in place. All agencies surveyed reported that a formal performance management framework was in place. Agencies were also asked which from a series of elements were included in their performance management system. Figure 9 below provides an overview of responses to this question.

Figure 9: Elements included in agency performance management frameworks

Element	Number of Agencies including this element in their framework
Is section 9 of the PSM Act linked to your framework?	6
Are individual performance management plans linked to the agency business plan?	11
Do your staff participate in formal feedback sessions?	12
Does your agency actively monitor staff participation in formal performance management?	8

As figure 9 shows, eleven of the twelve agencies surveyed link their performance management framework to their business plan while all agencies ensure that staff participate in formal feedback sessions and only six agencies link performance and development plans to section 9 of the PSM Act.

The six agencies not linking the ACTPS code of ethics to their performance management system reported that they recognise the significance of formally referencing section 9 of the PSM Act and that they will amend documentation to ensure they do so in future. Similarly, the four agencies that reported they did not monitor staff participation in performance management recognise the importance of doing so and they will develop strategies to effectively monitor staff participation in future.

Agencies reported that performance management can be resource intensive and a number of agencies indicated they are implementing electronic systems to make participation in performance management and development easier for staff. This will have a two-fold effect: not only is take-up expected to improve, electronic systems will also facilitate more effective monitoring of staff participation in formal performance management and development. Agencies recognise that electronic systems can only supplement rather than replace periodic face to face discussions. However, ongoing monitoring and reporting is expected to improve with the use of this type of electronic system in addition to face to face discussions.

4.2 Workforce Challenges

Agencies were asked to report on the extent to which they faced a series of workforce challenges in 2009. As shown in figure 10 overleaf, there is great variation from agency to agency between the challenges they face, however, the primary challenge that emerged from survey results was a difficulty recruiting people with leadership skills at the senior manager levels.

In discussions with agencies subsequent to the survey being finalised, it was reported that a consistent challenge from year to year is finding people with the right skills. Interestingly, agencies agreed that, perhaps due to the global financial crisis, the challenge had shifted during 2009 from a general skills shortage to a shortage of people with sufficient management and leadership skills. Agencies expect this challenge to subside as the effects of the financial crisis ease. They expect the longer term trend of a more general skills shortage to return in 2010.

Figure 10: Were the workforce challenges faced by agencies during 2009 major or minor?

Workforce Challenge	Major challenge	Minor challenge
Loss of mature age employees	2	5
Loss of Indigenous employees	0	2
Loss of employees with a disability	0	0
Loss of employees recruited as part of a formal graduate program	1	1
Difficulty recruiting skilled graduates as part of a formal graduate program	1	2
Difficulty recruiting skilled people generally	2	9
Higher than acceptable employee turnover	0	4
Lower than acceptable employee turnover	0	2
Difficulty recruiting sufficiently strong leadership skills at Executive levels	0	5
Difficulty recruiting leadership skills or potential at the senior manager levels	5	6
Difficulty in attracting at entry levels	1	4
Ensuring staff knowledge and skills meet agency requirements	3	6
Difficulty reporting/analysing workforce data (e.g due to limited data or data quality issues)	2	4

Next, agencies were asked what strategies they had in place to address identified workforce challenges. Almost all agencies surveyed reported that they used the following to attract and retain the people with skills critical to their agency:

- recruitment/learning and development strategies that aligned with workforce requirements;
- offering flexible pay structures and working conditions; and
- enhanced/targeted development opportunities.

4.3 Workforce Planning

Agencies were asked to indicate what if any workforce planning activities were undertaken by their agency during 2009. Figure 11 below summarises the extent to which agencies undertook specific workforce planning activities during the year.

Figure 11: Workforce planning activities undertaken in 2009

Workforce planning activity	Number of Agencies undertaking this activity
Identifying future capabilities required to deliver services	7
Measuring workforce skill sets	4
Surveying workforce demographics	12
Planning for changes that are likely to impact on core business (e.g. technological change)	8
Obtaining information to evaluate the effectiveness of learning and development systems	10
Succession planning (esp. for critical positions)	6

As figure 11 demonstrates, all agencies undertake demographic surveys of their workforce. However, fewer agencies undertake other workforce planning activities such as succession planning or measuring workforce skill sets.

Once again, this was qualified by open ended responses given. Both LDA and DET reported they are developing workforce capability models that incorporate change management and succession planning strategies, while ACTPLA report they are developing and will shortly implement a formal succession planning process.

4.4 Attraction and Retention

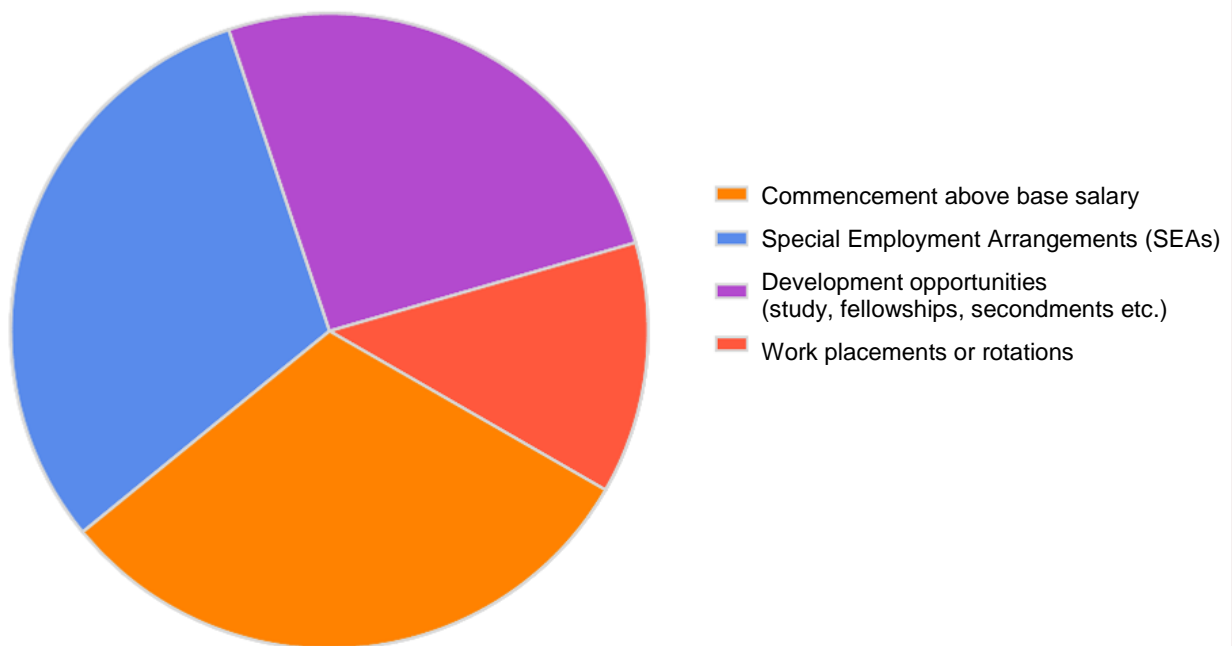
In this section of the survey, agencies were asked to report on the specific measures used to attract and retain people with critical skills.

As figure 12 overleaf shows, the most common measures used to attract and retain staff with critical skills were:

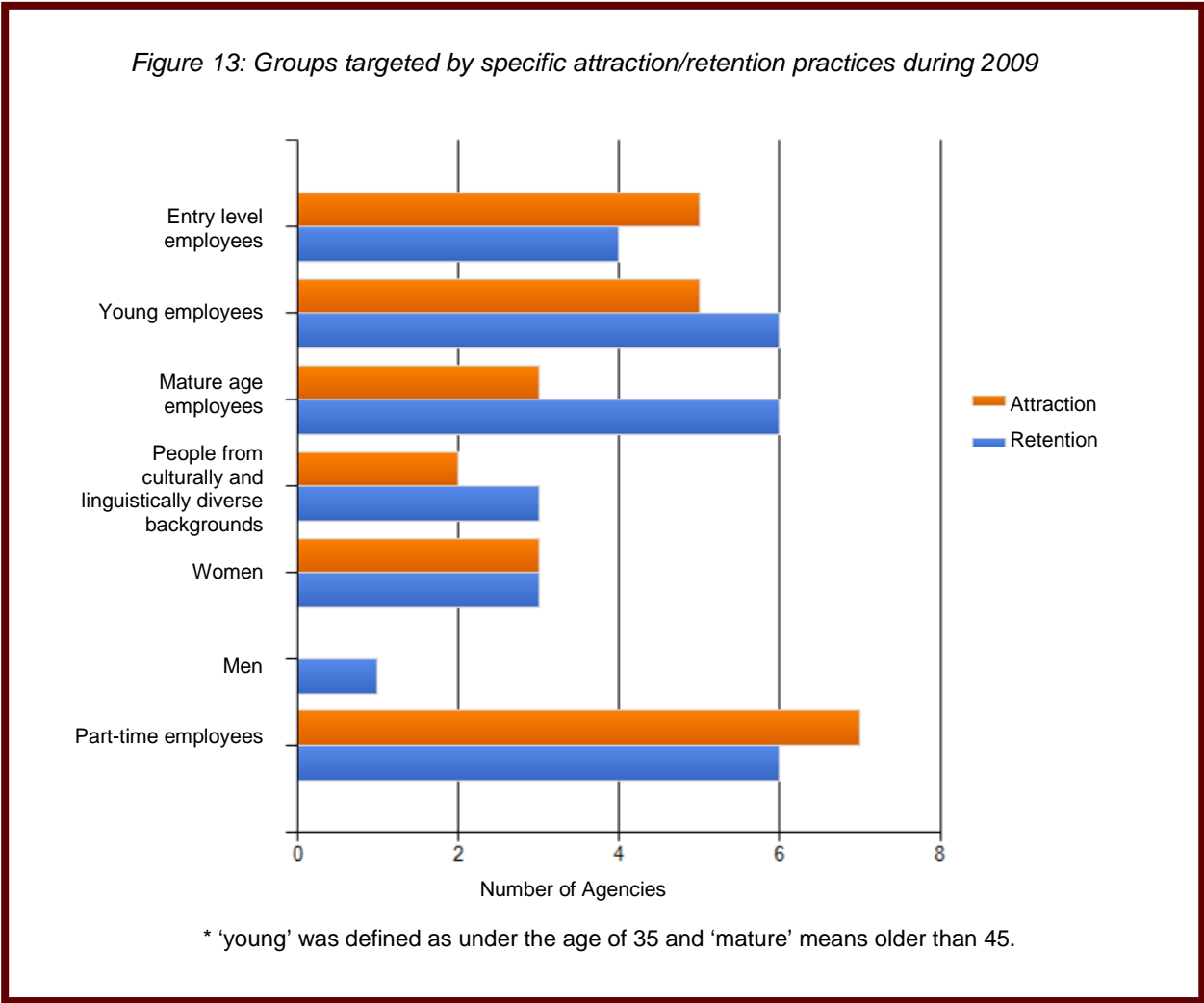
- commencement at above base salary;
- Special Employment Arrangements (SEAs);
- development opportunities (study awards, fellowships, secondments etc.); and
- offering different work placements or rotating staff throughout the organisation.

A number of agencies also reported three further strategies that helped to attract and retain staff with desirable skills: offering relocation and settlement assistance; assisting potential employees with having overseas qualifications recognised; and delaying commencement dates.

Figure 12: Preferred measures utilised during 2009 to attract and retain critical skills



The next question asked if agencies targeted any particular groups through specific attraction and retention strategies. As figure 13 shows, the most common group targeted by an attraction strategy were part-time employees, while the most common groups targeted by retention strategies were young employees, mature employees and part-time employees.



Eleven out of a possible twelve agencies answered this question. Relatively few agencies undertook a broad range of attraction and retention practices across the potential target groups. Rather, agencies focused on the attraction and retention of staff generally as opposed to targeting any specific groups.

Agencies were asked to indicate which out of a range of attraction and retention practices they used in 2009. Responses are summarised overleaf.

Figure 14: Preferred attraction and retention strategies in place across the ACTPS, 2009.

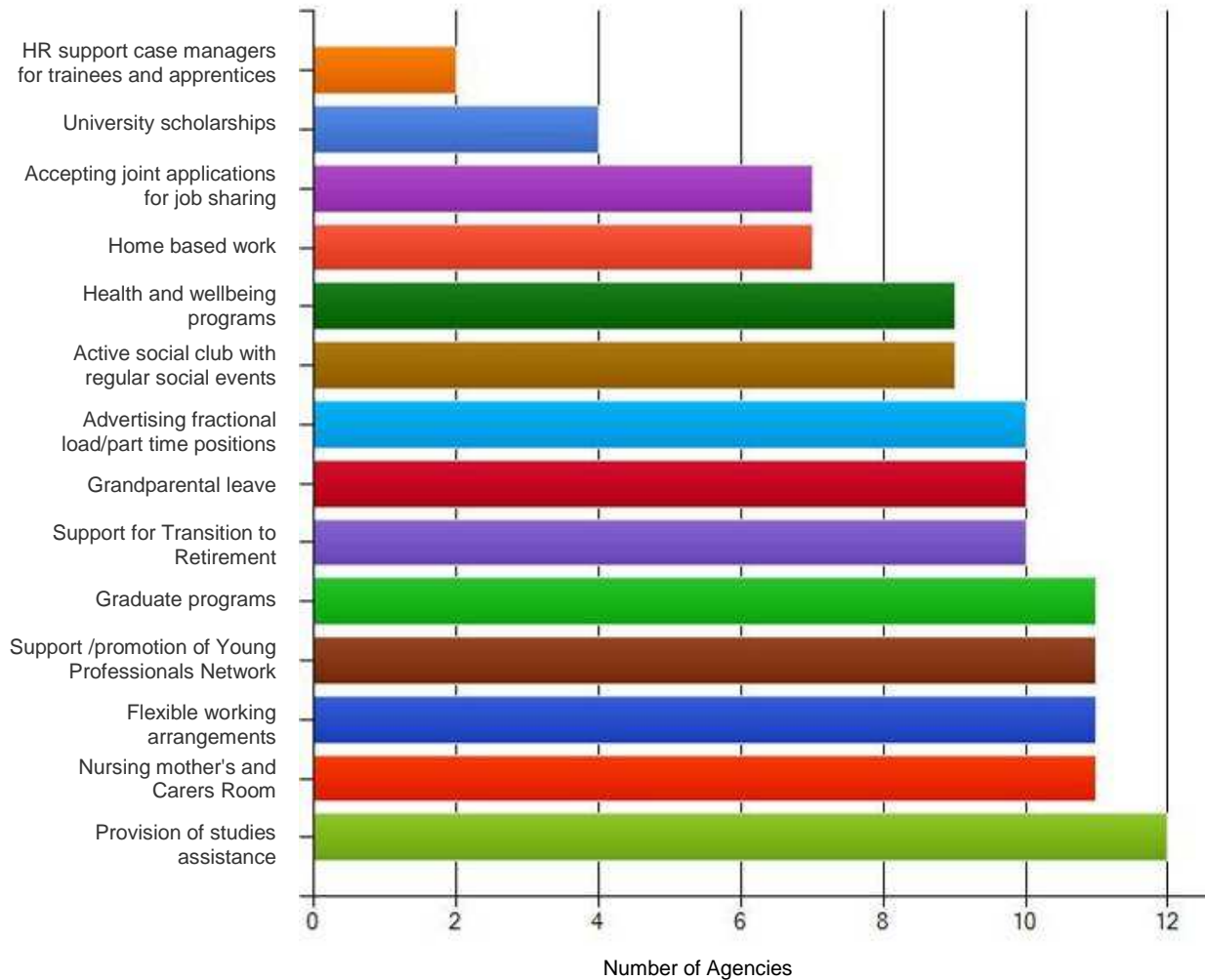


Figure 14 demonstrates that all agencies used studies assistance as an attraction and retention strategy. Most agencies used graduate programs, provided carer's rooms and flexible working arrangements (including advertising part-time positions), and promoted the Young Professionals Network as incentives to attract and retain staff to the Service. More than half of the agencies surveyed also reported using options such as home based work, job sharing, grandparental leave, health and wellbeing programs including social clubs and other regular social events as ways of making the ACTPS a desirable employer.

Finally, with regards to attraction and retention, agencies were asked to report on the specific retention strategies they used as a means of reducing the turnover of key staff. Consistent with previous year’s findings, the primary strategies used for the retention of key staff were support for further study, prioritised learning and development opportunities, and tailored employment conditions and benefits.

Figure 15 summarises agency responses to this question.

Figure 15: Specific retention strategies to reduce the turnover of key staff

Retention strategy	Number of Agencies using this strategy
Tailored employment conditions and benefits	9
Promoting networks for specific groups	5
Prioritised learning and development	11
Support for further study (e.g. study leave)	12
Enhanced career development opportunities	7
Conducting exit interviews with departing staff	9

4.5 High Performance and Further Development

The final question of the attraction and retention section of the survey was aimed at discovering how agencies identified high performers and what they did to foster and keep talent once it was identified.

Figure 16 overleaf records the specific strategies that were used by agencies to identify high performing individuals for further development. All agencies reported that managers or supervisors were encouraged to nominate suitable individuals for further development. Of the twelve agencies surveyed, eleven reported that participation in leadership development programs was essential to the cultivation of a high performance culture, while nine agencies reported that agency head identification, participation in development opportunities and staff recognition awards were instrumental in identifying, fostering and rewarding high performing individuals.

Figure 16: Specific strategies to identify and develop high performing individuals

Strategy	Number of Agencies using this strategy
Individuals self identify	5
Manager or supervisor nominates individuals	12
Agency heads identify individuals	9
Performance management and development systems	8
Formal career development assessment	0
Leadership development program	11
Staff recognition awards	9
Mentoring programs	3
Participation in development opportunities	9

5 Human Resource Management

5.1 Underperformance

As represented in figure 17 below, during 2009 a total of thirty-four underperformance actions were commenced while twenty-eight were finalised.⁸ This represents an increase in the number of underperformance actions commenced and finalised compared with 2007 and 2008 results and returns the total nearer 2005-06 levels.⁹ The 2009 figure is significantly higher than the long term average of eighteen underperformance actions per year.

⁸ The figure covering finalised actions may include actions commenced prior to 2008.

⁹ Note that survey results since 2007 have excluded underperformance actions taken for executive staff, who are subject to separate processes under contract, while the results for the reporting periods prior to 2007 include underperformance actions for all staff i.e. both executives and non-executives.

Figure 17: Number of underperformance actions: 2003-04 to 2009

		Number of Underperformance Actions					
		2003-04	2004-05	2005-06	2007	2008	2009
Commenced		7	15	27	7	18	34
Finalised		3	9	19	11	11	28

Figure 18 summarises the outcomes of underperformance actions finalised during 2009. The most common result of an underperformance action was for the agency to institute a formal performance and development program for the individual. Rarely do agencies take no action, assign an underperforming employee to other duties, defer an increment or reduce an employee's classification.

Figure 18: Outcomes of underperformance actions finalised (note that more than one outcome may be reported against each action)

Outcome of underperformance action	Times this outcome was reported
No action taken	3
Development program instituted	11
Satisfactory performance standard attained	7
Assignment to other duties	1
Deferral of increment	2
Reduction in classification	0
Termination of employment	3
Underperforming employee resigned	5

5.2 Grievance / Complaint Investigations

It is essential to good governance that organisations establish an effective internal complaint handling mechanism.

In this section of the survey, agencies were asked a series of questions related to complaints and grievances. These questions aim to capture the matters which typically fall outside of the reporting framework. They expressly excluded matters covered under the appeal or review provisions of agency workplace agreements and do not relate to public interest disclosures or other matters captured under formal complaint handling or reporting arrangements. Agencies were asked to report only on matters that were of a serious or sensitive nature, that arose within the sphere of public sector management, were addressed directly to an agency or referred through an external forum, and were initiated by an employee, ex-employee or member of the community.

The majority of agencies reported that they have procedures in place to manage these types of matters and a system in place to record grievances and complaints to enable longer term monitoring. Only two out of twelve agencies reported not having procedures in place, however they reported that systems were in development.

Figure 19 below shows the number of complaints received, the number of investigations that agencies undertook into these types of matters, and the number of matters that were finalised during the reporting period.

Figure 19: Complaints/grievances received by agencies, investigated and finalised, 2009

		Number of Complaints	
		2009	
Received		26	
Not investigated		11	
Investigated		15	
Finalised		18	

Finally, the survey asked agencies about the features of the complaints they dealt with during the reporting period. Figure 20 summarises the features that applied to grievance/complaint investigations finalised during 2009. It is notable that no investigations were referred to the Commissioner, and no complaints were referred from the ACT Ombudsman or Privacy Commissioner.

Figure 20: Features of complaints/grievances investigated during 2009

Feature of complaint	Number of investigations displaying this feature
Managed internally	13
Independently investigated	3
Referred to the Commissioner	0
Referred from Human Rights Commission	14
Referred from ACT Ombudsman	0
Referred from Privacy Commission	0
Referred from Fair Work Australia	6

6 Concluding Remarks

The 2009 agency survey asked ACTPS agencies to report to the Commissioner on a range of qualitative and quantitative measures relating to the management of the service as a whole. The four broad areas that the survey asked agencies to look at were: values and ethics; equity and diversity; workforce planning/attraction and retention; and human resource management. Agencies also provided some especially informative answers to open ended questions.

In terms of values and ethics, results from the survey indicate that the ACTPS promotes an ethical workforce and has strategies in place to address breaches when they occur. All agencies provided learning opportunities to their staff on ethics and values while six provided sessions targeting the executive levels. Agencies could do more in the promotion of ethical leadership and this is a focus for the Commissioner over 2010.

There were 104 formal investigations into alleged breaches of section 9 of the PSM Act during the reporting period. This is consistent with numbers over the last four years. Except for one agency who has a system in development, all agencies have a system in place for reporting bullying and harassment. Of the thirty-nine reports of bullying and harassment during 2009, only four were substantiated on further investigation. This is a significant decrease from previous years.

Moving to equity and diversity, six of the twelve agencies surveyed have an equity and diversity plan in place with the remainder being in the process of developing or reviewing the equity and diversity plan for their agency. A renewed *Respect, Equity and Diversity Framework for the ACTPS* is a Commissioner priority for 2010 and will provide guidance to agencies reviewing or developing their agency specific plans. This activity will be reported on in more detail next year.

With regards to workforce planning, a particularly encouraging result from the 2009 survey was that agencies are engaging with issues covering performance management and workforce development more so than in previous years. All agencies have a formal performance management system in place and all collect information on workforce demographics. Strategies to attract and retain staff with critical skills are focused on providing enhanced or flexible employment conditions. Agencies also recognise the importance of providing ongoing learning opportunities to their staff. This is important because in the coming years as the workforce ages and the skills shortage intensifies, employers will face increased pressure to attract and retain talented people.

Finally, turning to human resource management, thirty-four underperformance actions commenced during the reporting period while twenty-eight were finalised. Performance management and resignation of the employee were the most common outcomes.

During 2010, the Commissioner has been committed to promoting:

- an ethical culture throughout the ACTPS;
- additional attraction and retention strategies; and
- a renewed *Respect, Equity and Diversity Framework* for the service incorporating strategies for the increased employment of Aboriginal and Torres Strait Islander people and people with a disability.

These initiatives will be reported on in the 2010 Agency Survey Report.

Employment Policy
Public Sector Management Group
Chief Minister's Department

on behalf of

Commissioner for Public Administration
October 2010

Abbreviations

ACT Health	ACT Department of Health
ACTPLA	ACT Planning and Land Authority
ACTPS	ACT Public Service
AGO	Auditor General's Office
CIT	Canberra Institute of Technology
CMD	Chief Minister's Department
Commissioner	Commissioner for Public Administration
DECCEW	Department of the Environment, Climate Change, Energy and Water
DET	Department of Education and Training
DHCS	Department of Disability, Housing and Community Services
FOI Act	<i>Freedom of Information Act 1989 (ACT)</i>
FW Act	<i>Fair Work Act 2009 (Cth)</i>
FM Act	<i>Financial Management Act 1996 (ACT)</i>
JACS	Department of Justice and Community Safety
LAPS	Department of Land and Property Services
LDA	Land Development Agency
PID Act	<i>Public Interest Disclosure Act 1994 (ACT)</i>
PSM Act	<i>Public Sector Management Act 1994 (ACT)</i>
PSMG	Public Sector Management Group
SERBIR	Senior Executive Responsible for Business Integrity and Risk
SRC Act	<i>Safety, Rehabilitation and Compensation Act 1988 (Cth)</i>
Standards	Public Sector Management Standards 2006 (ACT)
TAMS	Department of Territory and Municipal Services
Treasury	Department of Treasury
WR Act	<i>Workplace Relations Act 1996 (Cth)</i>

