



Ms Kate Jenkins
Sex Discrimination Commissioner
Australian Human Rights Commission
GPO Box 5218
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Dear Ms Jenkins

Independent Review into Commonwealth Parliamentary Workplaces

The Department of Parliamentary Services (DPS) welcomes the opportunity to provide a submission to the Independent Review into Commonwealth Parliamentary Workplaces. The attached submission is in addition to the submission made jointly with the Parliamentary Department Heads.

In this submission, DPS has taken the opportunity to provide more detailed information specific to the role and operations of the Department of Parliamentary Services.

I trust this information will assist the Commission and the review. Should you require any further information, please do not hesitate to contact my office.

Yours sincerely

Rob Stefanic
Secretary

3 August 2021

Submission by the Department of Parliamentary Services to the Independent Review into Commonwealth Parliamentary Workplaces

Introduction

The Department of Parliamentary Services (DPS) makes this submission to the *Independent Review into Commonwealth Parliamentary Workplaces* to address the terms of reference and to provide clarity about the functions of the department within the parliamentary service – which is distinct and separate from the Australian Public Service and the Executive Government, including *Member of Parliament (Staff) Act 1984* (MoPS Act) arrangements.

The Secretary of DPS has also made a joint submission together with the heads of the parliamentary service departments to provide an overview of the parliamentary service and its structure (Joint submission by the Parliament of Australia parliamentary service to the Independent Review into Commonwealth Parliamentary Workplaces). An attempt will be made to minimise overlap with material already provided in that submission.

It is important to emphasise that the parliamentary service is distinct from the negative workplace culture that has been generically attributed to ‘Parliament House’ in much of the public commentary in recent months. Unfortunately, this generalisation adversely reflects on the 1,500 professional public servants in four parliamentary departments who support the work of the Australian Parliament – organisations which have distinct cultures that are not consistent with this description.

While Australian Parliament House (APH) is one identifiable national building, it serves several functions. Most significantly it is the place that accommodates both the Parliament and Executive Government functions. At approximately 1,100 staff, DPS has the building’s largest permanent occupant population in APH. The approximate total occupant population is 2,000 people during non-sitting periods. On a regular sitting day this number normally swells to around 5,000 people as parliamentarians, their staff, Commonwealth agency staff and others arrive to conduct parliamentary business.

It is not only a significant population for one building, but also something of a microcosm of Australia. The building itself is an iconic national attraction – a major tourist destination greeting over 800,000 visitors and 140,000 school children per year (pre-COVID-19). Parliament House has cafes and restaurants, a gift shop, a child care centre, a post office, a library and one of Australia’s largest art collections – it is for all intents and purposes almost an independent entity within Canberra.

One building – different staff management arrangements

All four parliamentary departments are distinct from the Australian Public Service (APS) that serves the Executive Government. The parliamentary departments serve the Parliament and not Executive Government. The parliamentary departments operate under the Parliamentary Services Act 1999 (the Act) which includes a Parliamentary Service Code of Conduct. This ensures each department has clear policies and procedures underpinned by legislation to manage staff and employee issues. In general, these are consistent with policies in place in the APS. The Act provides a robust and

sufficient foundation to promote a safe and respectful workplace for staff working in the parliamentary departments.

Parliamentary departments, as Commonwealth entities, are subject to the provisions of the Public Governance, Performance and Accountability Act 2013 and the Fair Work Act 2009 with each head being the accountable authority for their respective department.

The parliamentary departments have demonstrated a commitment to ensuring their employees work in a safe and respectful environment, through the provision of appropriate procedures and policies for the prevention and handling of bullying, sexual harassment and sexual assault.

It is important when reviewing the workplace culture at Parliament House, to consider the different arrangements covering staff of the parliamentary departments and those working for parliamentarians.

Recent issues raised involving serious workplace problems at Parliament House, and commentary about the culture at APH, do not accurately reflect the day-to-day working environment of parliamentary department employees.

The Executive and parliamentarians are supported by the Department of Finance in terms of their staff employment. Their staff are employed by the senator or member under the MoPS Act and can have their employment terminated by that parliamentarian. These employees are not subject to the same rules of employment, appointment or termination as the public service or parliamentary service.

DPS has no role in human resources management for MoPS staff. While DPS has a broader work, health and safety responsibility in respect of APH as a building, it does not have responsibility for the work arrangements or office arrangements for MoPS staff in the employ of members, senators or ministers.

Our purpose and functions

The purpose of DPS is to support the work of the Australian Parliament by providing effective, high quality and sustainable services to parliamentarians and building occupants. The Secretary is responsible for managing the department and reports jointly to the Speaker of the House of Representatives and the President of the Senate.

As the custodian of APH, DPS is responsible for delivering services and experiences that enable engagement with the parliamentary process. DPS provides a broad range of services and products to support the functions of the Australian Parliament and the work of parliamentarians.

DPS consists of approximately 1,100 staff in four divisions, 12 branches, 48 sections and numerous disciplines that support the work of the Parliament. Our workforce delivers a diverse range of services from very different workplace environments including gardens, retail outlets, workshops, libraries, kitchens, plant rooms and office spaces. Services DPS provides or facilitates include:

- library and research services
- information and communications technology products and services at Parliament House, electorate offices and Commonwealth Parliament Offices
- protective and cyber security

- building and grounds management
- audio-visual services and Hansard
- art collection and exhibition services
- furniture and asset management services
- visitor services and the Parliament Shop
- catering and event management
- licenced retail, health, banking and childcare services, and
- corporate, administrative and strategic services for DPS.

Each area has its own set of requirements to ensure our staff work in a safe and supported environment. The challenge for DPS is to maintain a standardised suite of protections that are fit for purpose in many different work environments.

In addition to the legislated requirements, DPS has a clear set of values and guides for living those values. The values are acting with integrity, upholding the parliamentary service values, being ethical and professional in all that we do to service the Parliament of Australia.

Transformation

DPS has travelled a path of transformation over the last six years that has occurred in three identifiable stages. The first stage of the DPS organisational reform process commenced in 2015 and, among other things, involved the development and implementation of core policies, processes and governance to ensure that the department could operate with more effective accountability and coherence. This work was necessary to respond to various committee and audit recommendations and to lay the foundations for future service reforms.

The second stage of organisational reforms included ‘service to parliament’ reforms. Underpinning this stage was a significant effort to strengthen the capability across DPS to perform its work effectively in serving the Parliament. DPS moved to strategic recruitment for capability, implemented leadership training for new managers and vigilant performance management. DPS also focused on strengthening a culture of accountability and initiated a values and behaviours program.

The third stage of the DPS transformation, designed to move the organisation to a more agile and high-performance operational model, commenced on 2 January 2020. An organisation realignment was intended to progress the DPS strategic priorities of innovation, quality service delivery and improving our corporate culture.

The early success of the third stage of transformation was evident in the department’s ability to respond to the unprecedented challenges of the COVID-19 pandemic. The department demonstrated its capability and capacity to pivot quickly from its business-as-usual operations to new ways of service delivery. This means DPS is well placed to manage unforeseen challenges while sustainably delivering its traditional core services to effectively support the Parliament and parliamentarians.

Workplace Culture Development

DPS commenced operations on 1 February 2004. It incorporated the operations of three very different organisations – the Joint House Department (JHD), Department of the Parliamentary Library and Department of Parliamentary Reporting Staff, into a large and very diverse agency. The

functions of the Parliamentary Security Service had been amalgamated into the JHD less than a year earlier in June 2003. The four organisations differed in the nature of their work, their management structures and approaches, the skills base of their staff, and their work cultures.

Until the last three years, there was no apparent sustained body of work undertaken that attempted to unify an organisational identity grounded on expected values and behaviours.

Culture change is a large organisational undertaking and can take time before tangible change can be measured. Workplace culture, along with innovation and service excellence, has been an identified priority in successive DPS corporate plans since 2018-19. A broad range of culture change activities have been designed, developed and implemented over the last three years.

DPS has adopted an approach that features a set of incremental and integrated changes aimed at not only changing the culture but also building organisational capability and strengthening organisational performance.

Since 2018 DPS has undertaken a substantial program of cultural and corporate change, with a central focus on “living our values”.

Employee engagement

For some years, DPS has conducted employee opinion surveys on an annual basis to obtain information on a series of measures to inform programs and planning, and for monitoring trends. The last DPS survey achieved a response rate of 79 per cent (718 staff), itself a strong sign of staff engagement. DPS staff engagement scores have been consistent with the broader public sector engagement index over the last three years:

Survey Year	DPS Engagement Index	APS Engagement Index
2018	71%	70%
2019	71%	72%
2020	73%	73%

Employee engagement is more than simply job satisfaction or commitment to an organisation. It is the extent to which employees are motivated, inspired and enabled to improve an organisation’s outcomes. It is a two-way relationship that exists between an employee and their organisation. The public sector model addresses four attributes associated with employee engagement (job, team, supervisor and organisation) and measures the emotional connection and commitment employees have working for their organisation.

Successive employee surveys demonstrate that DPS staff have high levels of commitment to DPS and the parliament, they are suggesting ideas for improvement more regularly and going above and beyond if required. The survey results reflect a highly engaged workforce and are the hallmarks of the use of discretionary effort and a positive overall workplace culture.

Innovation is also a relevant indicator of staff engagement, the DPS innovation index held steady at 60 per cent in the 2018 and 2019 survey results, and rose to 65 per cent in 2020 which places the

department into the high-performance quadrant using the Australian Public Service Commission's index.

The key issues identified for further focus from each successive survey remains consistent. These are change management, communication, leadership, and career opportunities. DPS is undertaking several activities that incorporate responses to the issues raised in survey results through strategic planning initiatives, employee induction and culture-based training.

Strategic planning initiatives

Strategic workforce planning was undertaken to understand our current and future workforce requirements and to identify and implement strategies to mitigate identified workforce risks. The strategic workforce planning process is also a key lever to help drive cultural change. For the department, the planning scenarios used throughout the process were specifically designed to focus on continuous innovation and service excellence.

Culture change is integrated into our corporate capability framework that describes the attitudes, behaviours and capabilities that are critical to a culture of service excellence and continual innovation. It covers:

- Being accountable – taking responsibility for our own actions; for delivering results and engaging with risk, rather than avoiding it, to manage it effectively
- Managing ambiguity – maintaining our focus and energy particularly during times of uncertainty and change – a capability we exercised extensively in 2020 with fire, floods and then the pandemic
- Delivering results – high quality professional services, advice and facilities to support the Parliament, our staff and community.

The planning work guided development of a DPS People Plan 2021-25 which was released in June 2021. The plan forms the basis of a department-wide focus on living our values and leadership development activities. It articulates the meaning of our values in plain language. The plan focuses on our culture through strengthening values, leadership, shared responsibility and advancing the Parliamentary Service.

This year we released our Living the Values guide for staff. The 'Live the Values' objective reflects a more deliberative approach towards shaping and strengthening culture as values are inherently personal and they inform how we think, what we do and what we say.

Employee induction

Formal staff induction activities were initiated in 2018-19 and expanded during 2019–20. All new departmental staff attend a one-day workshop that is focused on:

- outlining and discussing values, culture, behaviour and conduct expectations
- explaining the departmental structure, functions and approaches to governance
- completing mandatory training topics on workplace health and safety, and physical and information technology security
- introducing design integrity concepts and learning about the construction and history of APH, and

- meeting with members of the senior leadership team including the Secretary and Deputy Secretary.

Culture-based training

During 2019, a series of team leader training programs focussed on culture were designed and delivered for the first time to the Parliamentary Security Service (PSS). The two-day programs targeted new team leaders and covered self-awareness, emotional intelligence, active listening skills, managing difficult conversations, building teams and performance management. A series of three half day workshops were held with PSS team leaders to reinforce the application of DPS values.

The department launched an online training package in June 2019 —Being Professional in the Parliamentary Service—which is mandatory for all new staff. This online package describes the behaviours required for all staff to work consistently in accordance with the Australian Parliamentary Service Values, Employment Principles and Code of Conduct. It also illustrates how this framework guides day-to-day decision making and behaviour, both inside and outside of Parliament House.

A new organisational culture training program was piloted and implemented in 2019. The Creating a Positive Culture Workshop is a face-to-face initiative that provides motivational information and practical techniques to create a more positive personal and professional culture in the workplace. Participants are equipped to contribute to cultural transformation by developing the mindset required to create, lead and maintain a positive, solutions focused culture.

There are training programs that include behaviour required for all staff to work consistently with values, the code of conduct, create a positive workplace culture and leadership training as well as clear policies on workplace health and safety covering issues such as preventing and responding to bullying and harassment.

Gender balance and diversity initiatives

Like many organisations, improving participation rates by women at all levels of the organisation is an area of focus.

The DPS Executive Committee (governing board) is gender balanced and one third of the broader senior executive service team are currently women. The greater challenge is that while women represent 41% of our total workforce, some areas have a greater imbalance.

Well over a third of our workforce are employed in roles that have been traditionally male dominated. These include trades-related or non-desk based occupations such as security officers, gardeners, chefs, electricians and facilities management. Being a small population, the Canberra region has a finite pool of employment skills to draw upon – with a large employer base requiring specialist skills.

Given these challenges, we understand that it is important to have the right conditions that make DPS an attractive workplace for women. Failing to proactively address some of the barriers women face or even perceive to be barriers, makes the job of attraction and talent retention more difficult.

While attracting more women to work for DPS is the foundation of our gender initiatives, we aim to ensure that our women feel supported in their current roles and feel there are opportunities for

promotion, growth and mobility across the department. We have recently introduced two new programs that work hand in hand to support our female workforce and their professional development.

Future Women Leaders Program and Network

Our Future Women Leaders program springboards off the Future Women Platinum+ Leaders Program in which we first participated in 2020. This is a leadership program designed to accelerate mid-tier female talent on their professional journey by supporting their skills development, improving communication and confidence, presentation skills, leadership capabilities and networks. In our first cohort we have seen nearly half our participants achieving promotion or acting opportunities in higher classifications while undertaking the program.

We have also expanded the program by linking it to our 'Women in Leadership Mentoring Program'.

Women in Leadership Mentoring Program

DPS originally launched the Women in Leadership Mentoring Program in March 2020 as part of International Women's Day. The program was initially focussed towards leadership development and recruitment of female Parliamentary Security Service (PSS) officers. A year later, to mark 2021 International Women's Day we relaunched the program across DPS to bring together participants in the Future Women Leaders Program by pairing them women who are currently working in male dominated business areas. Over the course of 6-12 months, a trusting mentoring relationship is established between mentors and mentees. Both groups also receive support through external training and coaching.

The mentoring is valuable for a number reasons. Firstly, it provides junior females with guidance, encouragement and support outside the managerial hierarchy and matches them with a more experienced colleague who brings to the relationship a broad range of professional and personal advice. It also opens up understanding of the broader organisation and the opportunities available by meeting with someone from a different business area. In addition, it offers the chance to develop communication skills, expand viewpoints and look at work from different perspectives opening new and improved ways of approaching situations.

The Future Women Leaders Program and Women in Leadership Mentoring Program will help women in the department build formal and informal networks on different levels, helping to address one of the often-nominated barriers towards having more women in leadership roles.

Internal complaint management procedures

DPS has zero tolerance for bullying and harassment. Bullying and harassment training became mandatory for all staff earlier in 2021.

The department has a strong commitment to promoting a positive, inclusive, and supportive culture which is free from workplace bullying and harassment; a workplace where all staff must always treat each other with respect and courtesy. There are clearly defined informal and formal processes for managing bullying and harassment complaints as well as mechanisms for support.

The number of formal bullying and harassment complaints has remained low, less than one per cent of staff have made formal complaints for each of the past five years. There was a slight increase in

complaints during 2019-20 and 2020-21, this may be attributed to DPS staff feeling more supported to come forward and report incidents.

DPS has increased its focus on establishing an environment where staff are confident that complaints about inappropriate behaviour will be addressed. This is a positive reflection of DPS' efforts to increase awareness that bullying and harassment will not be tolerated.

Bullying and Harassment	2016-17	2017-18	2018-19	2019-20	2020-21
Total complaints received	3	3	2	6	5
Headcount (at June each year)	972	998	1,041	1,031	1,077
Complaints as a percentage of headcount	0.31 %	0.30 %	0.19 %	0.58 %	0.48 %

DPS has well established channels to identify, report and address inappropriate workplace behaviour. A network of 19 Harassment Contact Officers (HCO) across the organisation is available to provide information and support to staff if they believe they have been bullied, harassed or subjected to inappropriate behaviour. The primary role of our HCOs is to support employees, listen to their concerns, and provide employees with information about the available options to resolve their concerns. The HCO network is made up of peers from each division who are required to undertake training to equip them with tools and strategies to provide effective support.

The HCO do not advocate, investigate, or conciliate on the employee's behalf; they provide assistance and support as requested by the employee. They are trained to provide our staff with information about the options available to resolve their concerns and can refer them to other sources of support. They are available to all staff. They can refer complainants to other sources of support including line managers, Human Resources and external counselling resources such as the Employee Assistance Program.

Employees may also make complaints informally through their supervisor, formally and/or as a Public Interest Disclosure. DPS manages employee complaints in accordance with an internal complaints policy and other legislation including the Fair Work Act 2009.

When DPS Wellbeing and Performance staff receive a complaint, a formal preliminary enquiry is undertaken. The outcome of this preliminary enquiry will determine if formal action (code of conduct investigation) or informal action (conversation/mediation) is required. All complaints are investigated fairly, independently and without bias.

Review of the Parliamentary Workplace: Responding to Serious Incidents (Foster Review)

In light of the sexual assault allegations that has precipitated this review, DPS will have a role in engaging with change to ensure all people at Parliament House feel they have a safe workplace.

To this end, as well as contributing to this review, DPS actively engaged with the Deputy Secretary of the Department of Prime Minister & Cabinet, Stephanie Foster, as she conducted the Review of the Parliamentary Workplace: Responding to Serious Incidents in early 2021.

The final report was released on 26 July 2021 and includes recommendations which have been advanced and developed by DPS in consultation with Ms Foster and the Presiding officers. Accordingly, DPS will develop detailed measures to enable the recommendations to be implemented – some of which will require the support of both houses of parliament given the change it may impose on movements of their staff after hours.

A unique and challenging operating environment

DPS staff operate in a unique environment and face a range of challenges not experienced by other staff in the Australian Public Service. DPS is subject to a level of scrutiny that few other organisations in Australia would encounter.

DPS is subject to the same formal finance, accountability and governance related scrutiny as other Commonwealth agencies. This includes (but not limited to) scrutiny by:

- the Senate Finance and Public Administration Committee through Senate Estimates hearings and inquiries,
- Department of Finance for budgetary and Public Governance Performance and Accountability Act purposes
- Attorney General’s Department for Protective Security Policy Framework compliance
- Australian National Audit Office for financial and performance management and reporting

Uniquely DPS also provides services to many stakeholders who also scrutinise our work. Our work is particularly visible to the Executive Government, senators, members, members of parliament staff, visitors to Parliament House and the media.

Notably, APH also accommodates approximately 300 people representing most of Australia’s news media organisations. The media monitor and frequently report on various visible aspects of DPS operations. There is no corner of DPS operations that passes unnoticed whether it be cybersecurity matters, the progress of capital works or signage on toilets.

Naturally this collective scrutiny generates a fear among our staff that human error will result in extreme consequences such as adverse publicity for the department, Senate Estimates questions or administrative sanction. This fear stifles innovation and generates resistance to change.

Perhaps the pressures were best summarised by the President of the Senate, Senator Scott Ryan at the Senate Estimate’s hearing on 19 October 2020, described a number of the challenges DPS has in managing its workforce in this unique operating environment.

“This building is a unique place to manage—and I have equated it to a student union before—because there are areas and ability for staff in this building to raise what I might call management grievances in a way that in another workplace they cannot,” Senator Ryan said.

“I think the management challenge of this building is unique. I wouldn't work in management in this building for a lot of danger money because, can I honestly say, it is hard to manage because of the unique nature of this building. That has some genuinely unique sides, one of which is the fact that everyone has to understand the role of parliamentary privilege and even people being seen going into and out of offices can be a matter of confidentiality. It cannot be subject to the same sort of gossip or information or, indeed, transparency as other

places to protect the privacy of senators. But I will also say that I have seen on multiple occasions a different standard applied to the management of this building when it comes to staff exercising grievances via an estimates process, which makes it harder to manage than it should be. Sometimes those cases come to naught. We have had a number of senior managers basically, in my view, drummed out of the building, with a significant impact on their health, over my time in this job. I don't think that we understand how difficult it is to manage a building whereby any employee with a grievance, whether legitimate or not, can run to a senator and have it aired in the public domain.”

As a final note, when our staff do raise inappropriate behaviour, it is reported internally and actioned. Where appropriate they are brought to the attention of the Secretary and the Presiding Officers – the Speaker of the House, the Hon. Tony Smith MP, and President of the Senate, Senator Scott Ryan. DPS staff are very grateful to the Presiding Officers for their steadfast support when matters of inappropriate behaviour have been drawn to their attention. This has a significant and valuable impact in sustaining staff morale and addressing the power imbalance.

Conclusion

While our operating environment poses unique challenges, DPS is well positioned to maintain and build on a positive workplace culture. The legislative and policy framework DPS operates under sets out the expected behavioural standards for all staff and includes adequate protection mechanisms.

DPS will continue to expand and refine high quality and mandatory training to educate and support staff to identify and address inappropriate behaviour, bullying or harassment. DPS has also done this by embedding service excellence and ensuring a professional work culture where our staff are proud of the services we deliver to support the Parliament and parliamentarians.

DPS is committed to ensuring our employees work in a safe and respectful environment, where appropriate procedures and policies are in place for the prevention and handling of bullying, sexual harassment, and sexual assault.

DPS continues to examine the role of our staff in ensuring a safe and secure environment for all who work at Parliament House. In the same fashion we have engaged with the Foster Review, DPS is ready to work with the Sex Discrimination Commissioner, Human Rights Commission and the Parliament on any recommendations or proposed changes and share the lessons learned during the last five years.