

PARLIAMENT OF WESTERN AUSTRALIA
CLERK OF THE LEGISLATIVE ASSEMBLY



ACCOUNTABILITY STATEMENT

1. POSITION DETAILS

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| Position Title: | Clerk of the Legislative Assembly |
| Department: | Legislative Assembly |
| Location: | Parliament of Western Australia |
| Responsible to: | The Legislative Assembly and the Speaker as its representative |

2. PRIMARY OBJECTIVES

The primary objective of the Clerk of the Legislative Assembly (the Clerk) is to provide expert and authoritative advice to the Speaker and Members of the Legislative Assembly (the Assembly) on parliamentary law, practice and procedure relating to Parliament's role in making laws, scrutiny of the Executive Government, consideration and approval of appropriations for State Government and the conduct of Parliamentary inquiries.

The Clerk, as Chief Executive Officer, has management responsibilities relating to planning and managing performance of the operations of the Department of the Legislative Assembly and to ensure effective operation within budgetary constraints.

3. REPORTING RELATIONSHIPS

The Clerk is accountable to the Assembly and reports to the elected Speaker of the

Legislative Assembly.

Positions supporting the Clerk directly:

Deputy Clerk: assists the Clerk of the Legislative Assembly in the conduct of the business of the House particularly in relation to Bills, and in the administration of the department with particular attention to financial administration and planning.

Clerk Assistants (Procedure and Committees) of the Legislative Assembly: responsible for day-to-day procedural advice and operations of the Legislative Assembly Office and Committees.

Sergeant-at-Arms: provides procedural and administrative support and undertakes ceremonial responsibilities.

Executive Assistant: provides secretarial and administrative support to the Clerk and the Deputy Clerk.

Total staff of the Legislative Assembly is approximately 28.

4. MAJOR ROLE

The Clerk is the principal adviser to the Speaker and Members on issues of parliamentary law, procedure and practice.

The Clerk is responsible for management, financial and administrative matters affecting the Assembly, and advises on strategic direction in relation to the joint services of the Parliament.

The Clerk directs and co-ordinates the delivery of a diverse range of services, including:

- Procedure in the House: Procedural advice to the Speaker and Members, administrative support to the House, production of business papers and maintenance of the records and archives.
- Committees: Procedural advice, staffing, resources and reports for Assembly Standing and Select Committees, and Joint Committees.
- Administration: Human resource management, corporate planning, Members' allowances and entitlements, budget and finance, industrial relations and information technology.

The Assembly is not covered by the *Public Sector Management Act* and, while the Department generally follows the practices of the state public sector, the Clerk implements policies and procedures responsive to the needs of the Assembly and the Parliament as a whole.

The Clerk liaises with Ministers, Chief Executive Officers and other officers of Government agencies regarding the passage of legislation and procedural matters. Liaison with Parliamentary Counsel and other officers regarding the form and content of amendments to Bills is necessary, as well as providing or arranging for some drafting assistance to Members at short notice. The role involves liaison with Presiding Officers and Clerks of other Parliaments, both in Australia and overseas, visiting dignitaries, delegations, officials, government departments, and the media.

Under the *Members of Parliament (Financial Interests) Act 1992*, the Clerk is the Registrar of Legislative Assembly Members register of pecuniary interests.

The Clerk assists the Speaker in the management of the Assembly and actively supports and promotes the WA Parliament's role in engagement with and assistance to other Parliaments, including through the Commonwealth Parliamentary Association.

As a member of the Management Executive Committee of the Parliament of Western Australia, which is the peak management committee of the Western Australian Parliament comprising the two Presiding Officers and the heads of the three parliamentary departments, the Clerk is central to major decision-making for the Parliament.

5. CHALLENGES AND CONSTRAINTS

Some of the challenges and constraints are unique to the parliamentary institution. Working in the parliamentary environment does lead to pressure for decision making in tight time frames, for example providing confidential advice to different members and parties on the same issue but from different perspectives. Advice and actions of the Clerk can directly affect the public perception of the legislative and scrutiny processes of the Parliament and the reputation of the Parliament and its Members.

The Clerk requires an extensive knowledge of parliamentary law, practice and procedure and the ability to interpret and apply this to new situations. It is necessary to be aware of current major political issues affecting the State and other matters which affect members directly. This role requires sensitivity, confidentiality, integrity and the ability to provide impartial, accurate and reliable advice under substantial political pressures.

Sometimes the Parliament takes a course which is difficult for the Executive Government or for private individuals or organisations and this can create significant tensions. It is essential in these circumstances that the Clerk is able to clearly enunciate the position taken by the Clerk, the House, the Speaker, the Legislative Assembly Department, or a Parliamentary committee and explain the background to it. It will be necessary sometimes to rely on the independence of the Clerk's position to ensure the Assembly is able to carry out its work effectively.

The Clerk is independent from the Speaker in the exercise of the advisory capacity and in many aspects of management so as to maintain appropriate apolitical and impartial decisions.

6. SELECTION CRITERIA

1. The Clerk requires an extensive knowledge of parliamentary law, practice and procedure with experience in its application to the processes of Parliament, and the ability to provide authoritative and impartial advice on complex procedural and policy matters.
2. A tertiary qualification is highly desirable and extensive experience at the Table of the House in a relevant Parliament is essential.
3. This role requires impartiality, integrity, reliability and accuracy.
4. Extensive leadership, general and financial management experience at a senior level, and highly developed analytical and conceptual skills are necessary.
5. Excellent written communication abilities and highly developed oral and interpersonal communication skills are essential.
6. Proven ability to analyse and advise in complex circumstances and within tight timeframes in a politically-charged environment is required.
7. Candidates will be, or be able to become, Australian citizens or permanent residents, and either possess or be able to obtain a security clearance. The successful candidate will be subject to reference checks

7. REMUNERATION PACKAGE.

Salary: \$216,138

Superannuation: Employer contributions of 9.5%

Motor Vehicle: Provision of a fully maintained motor vehicle that is available for private use.

Communications: Home telephone and computing facilities and provision of a mobile phone.