



## COMMISSIONER FOR PUBLIC SECTOR STANDARDS

THE SPEAKER  
LEGISLATIVE ASSEMBLY

THE PRESIDENT  
LEGISLATIVE COUNCIL

# annual compliance report

---

I submit to Parliament my Annual Compliance Report pursuant to section 21(1)(i) of the *Public Sector Management Act 1994* for the period 1 July 2000 – 30 June 2001.

Its purpose is to inform parliament about the monitoring activities undertaken by my Office for that year.

The statement includes all instances of non-compliance in the public sector. Some examples of compliance have been included because I consider these to be in the public interest to report.

Agency-specific compliance matters have been included separately in statements to Ministers. These statements report on specific activity in the agencies under each of the 14 Ministerial portfolios.

Don Saunders  
COMMISSIONER FOR  
PUBLIC SECTOR STANDARDS

## Contents

---

<b>Section One: Executive Summary</b>	2
<b>Highlights</b>	2
- Public Sector Standards in Human Resource Management and Review Regulations	2
- Monitoring Compliance	2
<b>Section Two: Public Sector Compliance</b>	3
<b>Assessment of Compliance</b>	3
- Breach of Standard Reviews	3
- Compliance Workshops	5
- Investigations	5
- Compliance Audits	6
<b>Non-Compliance Risks</b>	7
- Resolution of Employee Grievances	7
- Conflicts of Interest	7
- Acceptance of Gifts	8
- Use of Labour Hire Companies	8
- Use of Executive Search	9
- Employee Personnel Files	9
- Discipline	10
- Contracts of Service Renewals	11
- Retention of Advertised Vacancy Files	11
<b>Non-Compliance Risks- Selected Agencies</b>	11
- Ministry of Justice	11
- Education Department of Western Australia	12
- Main Roads Western Australia	14
<b>Appendix 1: Breach of Standard Claims 1996 – 2001</b>	15
<b>Appendix 2: Substantiated Investigations 1995 – 2001</b>	17
<b>Appendix 3: Compliance Statements – Non-Statutory Authorities 1999/00</b>	18

## Section One: Executive Summary

The Annual Compliance Report 2000/01 is the sixth submitted under s.21(1)(i) of the *Public Sector Management Act 1994*. The object of the report is to provide Parliament with an independent assessment of the status of merit, equity and probity in the Western Australian Public Sector by reporting my opinion about the extent of compliance by public sector bodies and employees with:

- Sections 8(1)(a and c) and 9 (the general principles of human resource management and official conduct)
- The Public Sector Standards in Human Resource Management
- The Western Australian Public Sector Code of Ethics
- Agency-specific codes of conduct.

This report focuses on the outcome of my monitoring, from a sector-wide perspective. Agency-specific compliance matters have been included separately in the statements to Ministers. These statements report on specific activity in the agencies under each of the 14 Ministerial portfolios.

### Highlights

#### Public Sector Standards in Human Resource Management and Review Regulations

During the year, my Office completed comprehensive reviews of the Standards and the *Public Sector Management (Review Procedures) Regulations 1995* (the Review Regulations).

The Standards and Review Regulations were changed significantly. Many changes resulted from responses received from public sector chief executive officers, employees, human resource practitioners and employee associations. I acknowledge their efforts in providing the Office with suggestions to improve the Standards and Review Regulations.

The revised Standards and the new *Public Sector Management (Examination and Review Procedures) Regulations 2001* (Regulations), address the principles of merit, equity and probity in the public sector, rather than focus on process. They provide chief executive officers and chief employees with the opportunity to develop more flexible human resource management practices and procedures, while complying with the Act and the Standards. For example, the ability to advertise and select a pool of suitable people for positions that frequently become vacant, will improve the efficiency and effectiveness of recruitment practices for promotional positions in the public sector.

The revised Standards and Regulations were gazetted in April and operate from 1 July 2001.

#### Monitoring Compliance

Assistance to public sector bodies continued throughout the year. Strong demand continued for information about the application of the Standards, Review Regulations and ethical codes. My Office provided training and other assistance to human resource practitioners throughout the State, about the implementation of the revised Standards and Regulations. These activities are expected to continue at their current level.

Monitoring activities continue to occupy a substantial proportion of the Office's resources. With the exception of the comprehensive and systems-level audits, the demand for the monitoring function is externally driven, involving breach of Standard and investigation processes. The comprehensive and systems-level compliance audits have been undertaken in their current form for some time. I believe it is an appropriate time to review the purpose of these audits and how they will be undertaken. This review will be undertaken during 2001/02.

## Section Two: Public Sector Compliance

### Assessment of Compliance

This section addresses compliance issues potentially affecting the whole or a substantial part of the public sector, arranged as follows:

- ☞ Compliance with the Standards, Code of Ethics and agency-specific codes of conduct
- ☞ Investigations into alleged non-compliance

My opinion relies on the following information:

- ☞ Reports of reviews into breach of Standard claims
- ☞ Investigations into suspected unethical conduct
- ☞ Audits of public sector bodies
- ☞ Compliance reports made under s.31 of the Act

### Breach of Standard Reviews

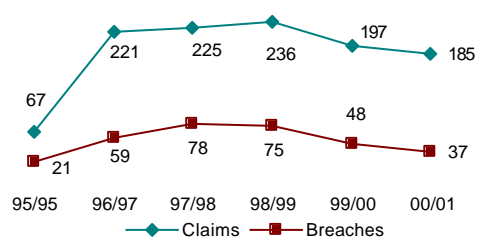
There were 185 breach of Standard claims during 2000/01 (Appendix 1). Table 1 reports material breaches, where a reviewer considered a breach of Standard affected the outcome of the process.

**Table 1: Breach of Standard claims 2000-2001**

Standard	Claims	Material Breaches
Recruitment, Selection and Appointment Standard	153	21
Grievance Resolution Standard	14	8
Transfer Standard	9	5
Performance Management Standard	3	1
Redeployment Standard	5	1
Termination Standard	1	0
Total	185 <sup>1</sup>	36

Eighty-three per cent of breach claims concerned the Recruitment, Selection and Appointment Standard, which was consistent with the past two reporting years.

**Figure 1: Number of claims and breaches  
Established 1995-2001**

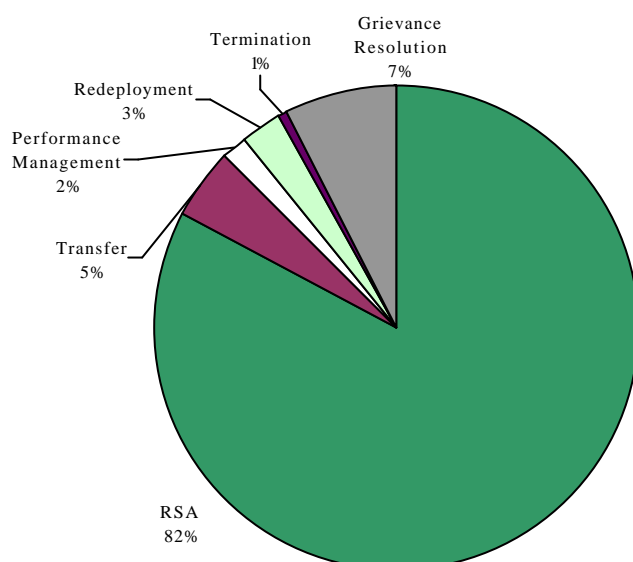


The number of breach claims lodged in 2000/01 represented the lowest number recorded in a full-year, since the introduction of the Standards in January 1996. Of the 185 claims lodged, 36 material breaches were identified, or 20 per cent of claims, compared with 24 per cent in 1999/00.

<sup>1</sup> One breach of Standard claim lodged against the Grievance Resolution Standard is pending.

Twenty-one material breaches of the Recruitment, Selection and Appointment Standard were established, or 57 per cent of all material breaches (67 per cent last year). Identified material breaches usually resulted in recommendations that part of the selection processes be revised and repeated. Recommendations that new selection panels be convened or that revised short-lists be established were common.

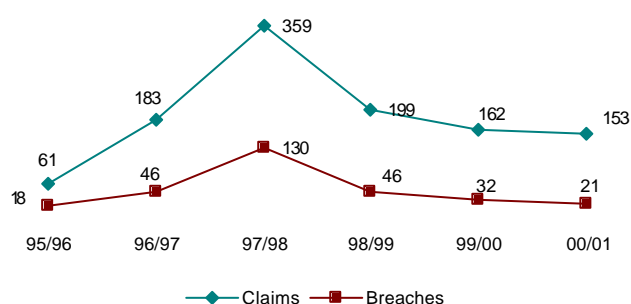
**Figure 2: Breach of Standards 2000/01**



As in previous years, most claims were about the Recruitment, Selection and Appointment Standard (82.6 per cent).

Since 1998, claims against the Recruitment, Selection and Appointment Standard have fallen, as have established breaches (Figure 3). This indicates that agencies are following recruitment and selection policies that comply with the Standards.

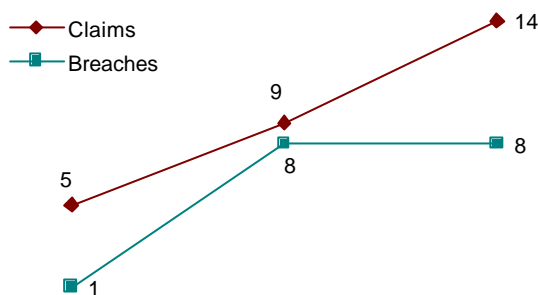
**Figure 3: Number of claims and breaches established against the Recruitment, Selection and Appointment Standard 1995 - 2001**



Claims against the Grievance Resolution Standard have increased since its introduction in March 1998 (Figure 4).

For 2000/01, nine of the 14 claims against the Grievance Resolution Standard followed a procedure undertaken by the Education Department of Western Australia to assess the suitability of teachers to be paid a skill allowance, referred to as the Level 3 Classroom Teacher process. Seven of those nine claims resulted in a breach of the Standard.

**Figure 4: Number of claims and breaches established against the Grievance Resolution Standard**



### Compliance Workshops

The Office conducted 35 workshops and presentations throughout the State for human resource practitioners and managers, about compliance with the Standards and the Regulations.

Nine-hundred and fifty public sector employees from 90 agencies attended the workshops. Fifteen workshops and presentations were held in regional Western Australia, including the Goldfields, the Mid-West, the South-West, the Wheatbelt, the Kimberley and the Pilbara.

### Investigations

The Office is not a body of appeal and has no role to be an advocate on behalf of any person or organisation. Grievance resolution is the responsibility of employing authorities.

As part of my monitoring role, allegations and information about non-compliance are brought to my attention. If the allegations or information do not fall within my jurisdiction, they may be referred to other bodies, including the Anti-Corruption Commission, the Equal Opportunity Commission, the Parliamentary Commissioner for Administrative Investigations (Ombudsman), the Auditor General or the State Supply Commission.

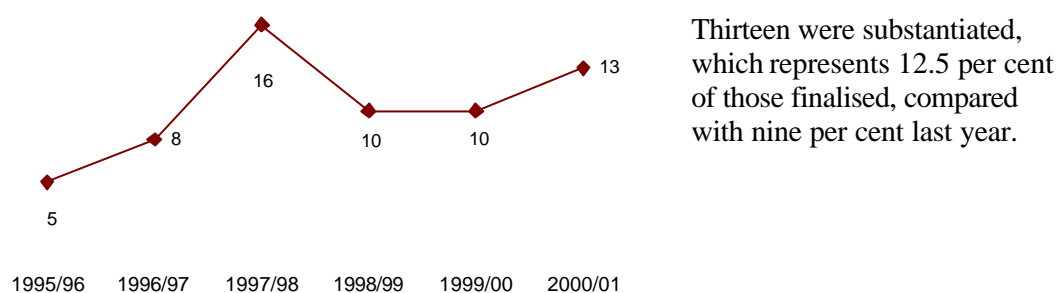
Predominately, public sector employees, rather than members of the general public, make allegations of non-compliance about the general principles and ethical codes.

If a person contacts my Office and makes an allegation about the treatment they have received from a public sector body, my Office refers them back to that organisation to have the matter resolved as a grievance, and seeks a report on the action taken to investigate the matter. It is my role to monitor and report on the extent to which employing authorities properly examine such complaints. If I receive evidence of non-compliance, I may choose to investigate the matter.

Appendix 2 summarises non-compliance substantiated by investigation for 1995-2001. In the current reporting year, my Office managed 123 allegations of non-compliance. This compares with 148 in the previous reporting year, and 135 during 1998/99. One-hundred and four of the 123 matters were finalised. This year's rate of completion compares favourably with the last reporting year, where 42 matters were carried over to 2000/01.

Inquiries were conducted into 98 of the 123 allegations of non-compliance, of which 95 were conducted directly by my staff. This is 15 more than the last reporting year, and 35 more than 1998/99 of the 123 matters managed, 13 were substantiated (Figure5).

**Figure 5: Substantiated allegations 1995-2001**



## Compliance Audits

Thirty-four agencies were audited during the year, comprising 15 comprehensive and 19 systems audits.

*Comprehensive audits* focus on whether reports made by the chief executive officer in accordance with s.31 of the Act can be verified, and whether systematic non-compliance risk can be identified. Policies, procedures and transactions are examined. Particular attention is given to self-assessment, including checks and controls on transactions. Most comprehensive audits include confidential employee surveys.

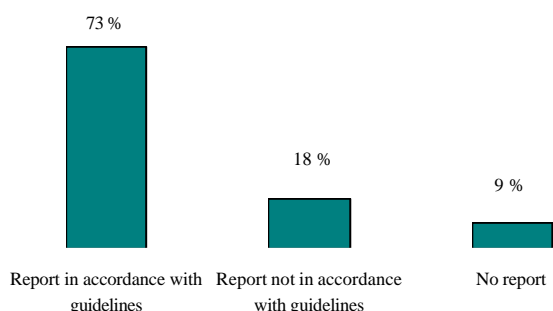
*Systems audits* assess whether policies and procedures are capable of ensuring compliance. Examination of policies and procedures include consideration of risk minimisation. Some systems audits include a confidential employee survey.

## Compliance Reports

Section 31(1) of the Act requires a chief executive officer to include in their annual report, a report on the extent to which their agency complies with the Standards, the Code of Ethics and its code of conduct. The statement must be written in accordance with my guidelines.

Seventy three per cent of agencies fulfilled this requirement for the 1999/00 reporting year, the latest for which the data are available.

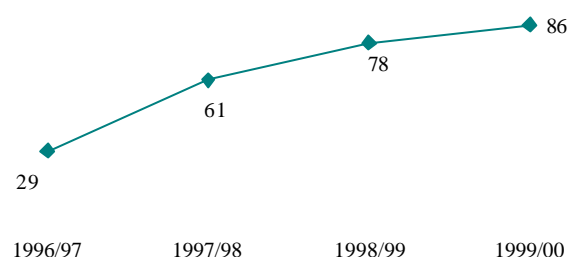
**Figure 6: Public sector agencies reports on compliance 1999/00**



Chief executive officers need to ensure that the statements made in their compliance reports are an accurate reflection of their agency's practices and performance.

Integrated systems of self-assessment, including checks and controls on transactions, provide chief executive officers with relevant and reliable information on which their compliance reports should be based. Compliance statement not based on integrated systems of self-assessment may be unreliable.

**Figure 7: Percentage of compliance statements that could be verified 1996-2000**



Compliance statements were verified in 86 per cent of agencies audited. This compares favourably with previous years.

Non-compliance is likely to occur where human resource management processes deviate from policies and procedures. Non-compliance risk can be minimised by developing checks and controls on transactions, as part of an integrated system of self-assessment. Checks and controls varied from 71 per cent of agencies for the Redeployment Standard and Temporary Deployment (Acting) Standard to 100 per cent for Recruitment, Selection and Appointment Standard.

The greatest potential for agencies to improve compliance is to ensure that the procedures used are consistent with stated policies, and importantly that the policies conform with the Standards.

## Non-Compliance Risks

Information from a variety of sources, including monitoring audits, breach of Standard claims, alleged non-compliance and feedback to Office staff, highlight several sector-wide risks.

## Resolution of Employee Grievances

The Office frequently receives information about the resolution of employee grievances. It is the responsibility of chief executive officers or chief employees to resolve or redress employee grievances. I do not have a responsibility to resolve grievances or to facilitate mediation and conciliation between parties.

There were 14 breach of Standard claims lodged against the Grievance Resolution Standard, or seven point five per cent of all claims lodged. Half of these claims resulted in a material breach.

Most public sector bodies have grievance resolution policies and procedures, but they are not always drawn to the attention of employees or applied fairly and consistently by employers.

Grievances not resolved promptly and effectively, may deteriorate into more complex matters, with unintended outcomes for both employing authorities and employees.

## Conflicts of Interest

The Act and the Code of Ethics require public sector bodies and employees to act with integrity and to avoid making commitments that may bias their judgment or compromise the performance of their public duties.

I have emphasized the need for vigilance to avoid conflicts of interest, but several inquiries again highlighted concerns about this issue.



Public sector employees are obliged to disclose interests that could reasonably create a perception of bias, or an actual conflict of interest. Chief executive officers must inform employees of their duty to disclose, assess such disclosures and take appropriate action to minimize any perception of, or to avoid, conflicts of interest.

Many public sector bodies have included in their codes of conduct, policies about declaration of interests. With the increased scrutiny on the public sector about such matters, I have drawn the attention of chief executive officers again to the need to examine their codes concerning disclosures of interests. Such disclosures should be in writing and provide reasonable detail.

### **Acceptance of Gifts**

Gifts, prizes, hospitality or other inducements, other than items of negligible value, received by public sector employees by virtue of their employment, could be perceived to compromise the performance of their public duties.

During the year, my Office conducted several inquiries which highlighted this issue.

While in each case the gifts were of nominal value, the fact that they were not declared, created the perception that they may have established an understanding between the giver and receiver. Had the chief executive officers and the public sector employees concerned discharged their ethical responsibilities concerning the acceptance and declaration of gifts, much of the misinformation that surrounded the incidents could have been resolved promptly.

Public sector employees should not believe that accepting a gift, irrespective of its value, will go undetected, or that it will not affect the relationship between the public sector body and the supplier of the gift.

Any gift received in the course of employment must be declared to the chief executive officer, and become the property of the public sector body employing the recipient.

Chief executive officers have a responsibility to ensure the issue of gifts is included in their agency's code of conduct, and make employees aware of their responsibilities.

### **Use of Labour Hire Companies**

A recent inquiry conducted by my Office raised concerns about the interpretation and use of s.100(1) of the Act. The inquiry revealed the need for guidelines for chief executive officers when using this section to engage labour, rather than the products of labour.

Labour hire companies are here to stay. Employers in both the private and public sectors will use them as an alternative to conventional full-time or part-time appointment of employees.

The Act does not cater adequately for this rapidly emerging alternative approach to acquiring labour. Hansard records no expressions of concern, or indeed any comment at all, about s.100 of the Act, when the Public Sector Management Bill was under consideration by Parliament in 1994. It may be that Parliament viewed this section as simply providing for public sector bodies to make contracts for purchasing goods and services. While this section is certainly so used, its role has been extended to purchase labour as an alternative to the normal recruitment process applicable to the public sector.

Unless appropriate guidelines are developed, Parliament cannot be assured that nepotism or patronage could not be inadvertently exercised in the selection of labour, through the use of labour hire companies, under s.100 of the Act.

I referred the issue to the Minister for Public Sector Management and recommended that he prepare guidelines for chief executive officers.

### **Use of Executive Search**

My Office frequently receives enquiries about the use of executive search, as part of recruitment processes.

The Recruitment, Selection and Appointment Standard does not prevent chief executive officers using executive search. However, once a pool of applicants is established, all applicants, irrespective of their source, must be treated in accordance with the Standard.

The issue that often arises is whether or not an application obtained through an executive search, which is conducted after the advertised closing date, is a late application, and therefore should not be accepted.

Advice received from the Crown Solicitor's Office is that *'it is long-standing practice not to accept late applications and the reference to be drawn from a closing date so expressed is that they will not be accepted. It is at least arguable that a departure from the custom and the inference to be drawn from the stipulation of a closing date will give rise to a reviewable decision'*. It was further stated that *'Where a strict closing date is stipulated in an advertisement calling for applications for employment I believe then that prudence dictates that late applications should not be considered'*.

It is acceptable to use executive search beyond the closing date if chief executive officers inform all applicants of the intention to do so, and also extend the closing date, thereby providing respondent applicants with the opportunity to augment their application during the executive search period.

### **Employee Personnel Files**

Employee personnel files are the property of the chief executive officer, not individual employees. The outcome of several examinations has highlighted shortcomings about the way employee files have been used.

Safeguards in the Act and the Code of Ethics should prevent misuse of personal information. These provisions do not bar a public official from disclosing information on personnel files where such disclosure is part of that officer's duties. The position the officer occupies, the government agency concerned, the person or organization to whom it is proposed to disclose the information, are relevant considerations that a chief executive officer must take into account when determining whether or not the disclosure of personnel files should form part of an officer's duties.

In the matters examined by my Office, it was ambiguous whether or not such considerations had been taken into account before information on employee files was released. Once information is released, the chief executive officer effectively loses control over how that information is used. Chief executive officers need to ensure that appropriate policies and procedures are in place and made known to all employees, so that requests for information from employee files are appropriately vetted before decisions are taken to disclose.

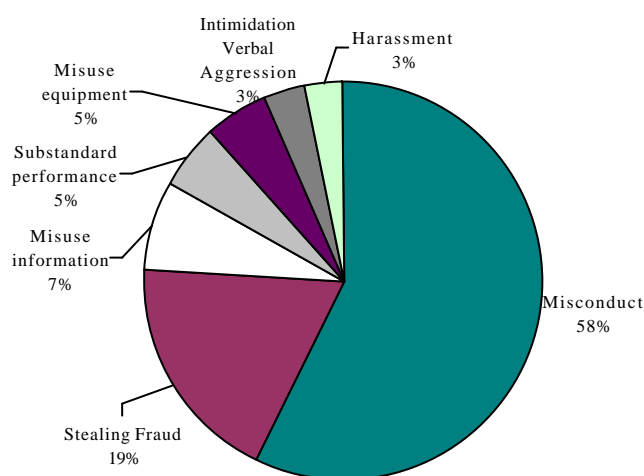
## Discipline

Discipline matters that came to the attention of the Office highlighted concerns about the administration of the discipline process. I wrote to all chief executive officers seeking information about the number and subject matter of disciplinary breaches.

Of the 111 organisations that responded, 42 reported that it had undertaken or was undertaking a disciplinary process. This Office did not undertake investigations into these matters.

Sixty-two per cent of the breaches reported were determined to be minor.

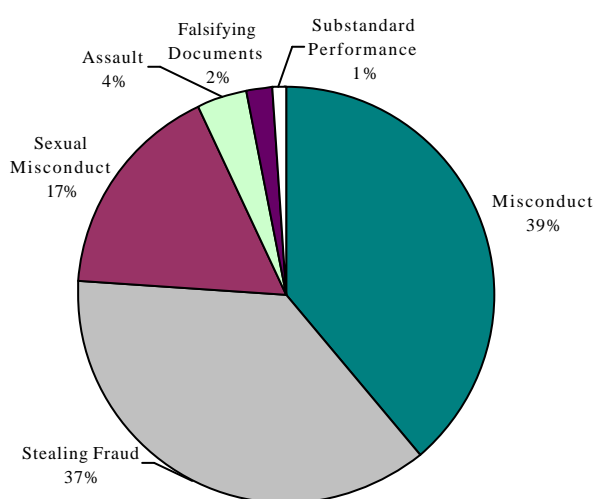
**Figure 8: Percentage of minor breaches of discipline reported**



The most common outcome associated with a substantiated minor breach of discipline was a formal warning (36 per cent) or counselling or retraining (23 per cent). The placement of a letter on the employee's personnel file was also common (17 per cent). Fifteen per cent resigned and a small number were fined by the agency (nine per cent).

The remaining 38 per cent of the breaches of discipline reported were determined to be serious.

**Figure 9: Percentage of serious breaches of discipline reported**



The most common outcome associated with substantiated serious breaches of discipline was the issuing of a formal warning (39 per cent). It was also more common to suspend the employee with pay (12 per cent), than without pay (11 per cent) during the conduct of a disciplinary process. Five per cent of those found guilty of a serious breach of discipline resigned. Nineteen serious breaches of discipline resulted in criminal convictions.

## Contract of Service Renewals

The Office frequently receives enquiries about the renewal of fixed-term contract of service appointments.

All selection processes in the public sector, including contracts of service and entry-level appointments, are subject to s.8(1)(a) of the Act and the Recruitment, Selection and Appointment Standard.

Offering a new contract of service beyond the original term, or making a person permanent without having first signaled such a possibility in the initial advertisement, may not comply with the Act and the Standard.

If chief executive officers want the option to renew a fixed-term contract of service or subsequently make such an appointment permanent, the initial job advertisement must state this.

## Retention of Advertised Vacancy Files

The Recruitment, Selection and Appointment Standard requires that all selection processes be transparent and capable of review. This requires records to be kept sufficient for an independent person to understand how a decision was reached. The decision giving rise to the appointment of a person must be capable of review. Supporting material, such as selection matrices and interview notes, may become essential in conducting a fair review.

During two investigations this year, chief executive officers were unable to provide the relevant advertised vacancy file because it had been destroyed or misplaced. This hampered our investigations.

The destruction or misplacement of current advertised vacancy files is of concern. The absence of such information substantially increases the risk of the public sector body being found in breach of the Standard.

Advertised vacancy files should be retained in accordance with relevant public records management guidelines.

## Non-Compliance Risks – Selected Agencies

Information obtained from breach of Standard reviews and investigations has identified unusually high non-compliance risk in several agencies.

### Ministry of Justice

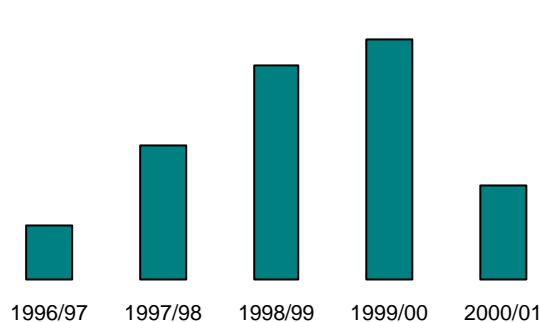
#### Breach of Standard Claims

The Ministry of Justice represents approximately five per cent of the public sector workforce<sup>2</sup>.

---

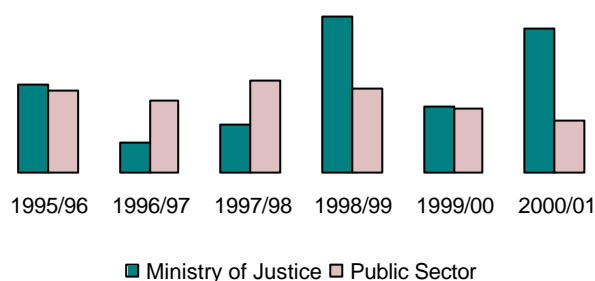
<sup>2</sup> Reference to the public sector workforce denotes that part of the public sector workforce subject to the *Public Sector Management Act 1994*. It does not include the agencies and employees listed in Schedule 1 of the Act.

**Figure 10: Percentage of overall claims lodged**



Over the past four years, the Ministry has been consistently over-represented in the number of claims lodged against the Standards, and the percentage of claims that result in an established breach. The year showed a marked improvement, but further effort is warranted.

**Figure 11: Percentage of claims resulting in a breach compared with the sector**



On average, between 20 and 30 per cent of all claims lodged throughout the sector result in a breach. This year, although the number of claims lodged against the Ministry of Justice reduced, the percentage of claims resulting in a breach (54 per cent), when compared with the sector (20 per cent), was unacceptably high.

## Investigations

During 2000/01, my Office conducted several investigations into the Ministry. Four were about the Recruitment, Selection and Appointment Standard.

Details about the inquiries are included in the statement to the Minister for Justice, tabled separately in Parliament.

In all four inquiries, I formed the opinion that the Ministry had not complied with its statutory obligations about recruitment, selection and appointment.

This, and the over-representation of the Ministry in substantiated breaches of the Recruitment, Selection and Appointment Standard, raises concerns about the policies and procedures used by the Ministry.

The Minister for Justice has assured me that the Ministry has reviewed its procedures in light of these outcomes, and the changes to the Standards and *Public Sector Management (Examination and Review Procedures) Regulations 2001*.

## Education Department of Western Australia

The Education Department of Western Australia, in response to comments in previous compliance reports, has taken effective steps to reduce identified non-compliance risks. While this is encouraging, there are still several risk categories that require comment.

### **Level 3 Classroom Teachers**

In 1997/98 and 2000/01, the Department undertook an assessment process to identify teachers who qualify for a special allowance. The allowance arose from an enterprise agreement between the State School Teachers Union and the Department.

In 1997/98 the Department offered approximately 350 opportunities for teachers to be paid the allowance for three-years. Following the process, 128 teachers lodged a breach of Standard claim, of which 71 were substantiated.

In 2000/01 the Department offered up to 100 opportunities for teachers to receive the allowance for a further three-years. Seven teachers lodged breach of Standard claims, of which six were substantiated.

Concern has been raised about the process used by the Department to inform teachers about their right of access to the Public Sector Standards in Human Resource Management and the *Public Sector Management (Review Procedures) Regulations 1995*.

The Department will conduct a review of this matter at the conclusion of the current process and I will monitor the outcome.

### **Discipline Matters**

In 1999/00, I reported four instances where the Department had breached the Discipline Standard. We recommended that the Acting Director-General develop and implement policies and procedures to govern the conduct of disciplinary inquiries within the Department.

The Department developed and distributed policies and procedural guidelines to be used when undertaking disciplinary investigations.

During 2000/01, we inquired into two more disciplinary matters. Details about both inquiries are included in the statement to the Minister for Education, tabled separately in Parliament.

The first examined the decisions taken by the Department in 1998, about the performance management process used to assess the capacity of a teacher, and her suitability for future employment.

It is open to the Department to determine how it assesses teacher performance. However, having committed itself to a process that addresses alleged inefficient and sub-standard performance, the Department must ensure the employee is treated fairly and reasonably.

In my opinion, the Department had not complied with ss 8(1)(c) and 9(c) of the Act, the Performance Management Standard, the Western Australian Public Sector Code of Ethics and its own code of conduct.

We recommended that the Department review its policy and procedures for re-engagement of teachers subject to incomplete sub-standard performance processes.

The Department informed me that the process used to assess a teacher's performance has been reviewed. Clear policies and procedures are now in place and any confusion that may have surrounded the process dealing with the teacher, has been addressed. The Department wrote to the teacher in July 2001, informing her of my opinion. It assured her that steps have been taken to enable her to seek re-employment with the Department.

The second inquiry involved an allegation that a teacher had assaulted a student.

The Department complied with its statutory obligations. However, given the seriousness of the allegations, and the potential effect on the teacher, I considered it was important that the matter should have been resolved more quickly. While the decision by the Department to suspend the investigation during a school holiday period did not constitute a breach, the Department left itself open for criticism.

### **Main Roads Western Australia – Recruitment, Selection and Appointment Standard**

Main Roads Western Australia comprises less than one per cent of the public sector workforce. It received 18 breach of Standard claims, all against the Recruitment, Selection and Appointment Standard. This represents eight per cent of all claims lodged in the sector for 2000/01. Three of the claims resulted in the establishment of a material breach (eight per cent of the sector-wide total).

A significant number of claims related to a restructure started the previous year. Breach of Standard reviews found that the selection panel did not take into consideration appropriately, all the information provided by the applicants, and as a consequence, the Standard had been breached, as the applicants' skills, knowledge and abilities had not been fairly assessed.

## Appendix 1: Established Breach of Standard Claims 1996 – 2001

Organisation	% of sector	Standard	96 <sup>3</sup>	1996-97	1997-98	1998-99	1999-00	2000-01
Aboriginal Affairs Department	0.14	R, S and A	0	1	0	2	1	0
		Transfer	0	0	0	1	1	0
Agriculture Western Australia	1.94	R, S and A	0	0	0	1	0	0
Anti-Corruption Commission	0.07	R, S and A	0	0	3	0	0	1
Building and Construction Industry Training Fund	0.01	R, S and A	0	1	0	0	0	0
		Termination	0	0	1	0	0	0
Builders' and Painters' Registration Board	0.03	R, S and A	0	0	0	1	0	0
Bunbury Health Service	0.70	R, S and A	0	2	0	0	0	0
Central TAFE	1.25	R, S and A	0	0	0	0	1	1
		Grievance Resolution	0	0	0	0	0	0 <sup>4</sup>
Central West College of TAFE	0.51	R, S and A	0	0	0	1	0	0
Challenger TAFE	0.81	R, S and A	0	0	1	0	1	1
		Transfer	0	0	0	1	0	0
		Redeployment	0	0	0	0	1	0
Department for Family and Children's Services	1.39	R, S and A	2	0	1	0	0	0
Department of Commerce and Trade	0.19	R, S and A	0	0	0	1	0	0
Department of Conservation and Land Management	1.51	R, S and A	0	0	1	0	0	0
Department of Contract and Management Services	0.32	R, S and A	0	1	0	0	0	1
Department of Environmental Protection	0.25	R, S and A	0	1	0	0	0	0
Department of Land Administration	0.73	R, S and A	0	0	1	1	0	1
Department of Minerals and Energy	0.66	R, S and A	0	0	2	0	2	2
Department of Productivity and Labour Relations	0.10	R, S and A	0	0	1	0	0	0
Department of Transport (including MetroBus)	0.95	R, S and A	1 <sup>5</sup>	1	1	0	0	1
Disability Services Commission	1.83	R, S and A	1	0	0	0	0	0
Eastern Wheatbelt Health Service	0.25	R, S and A	0	0	0	1	0	0
East Pilbara College of TAFE	0.13	R, S and A	0	0	0	1	0	0
Education Department of Western Australia	30.00	R, S and A	5	18	85	5	2	0
		Transfer	2	5	8	1	2	1
		Performance Management	0	4	5	1	0	1
		Redeployment	0	0	1	0	0	1
		Temporary Deployment	0	0	0	0	2	0
		Grievance Resolution	0	0	0	0	2	7
Fire and Emergency Services Authority of Western Australia	1.06	R, S and A	1	2	4	4	1	0
		Transfer	1	2	0	0	0	0
Fisheries Western Australia	0.42	R, S and A	0	0	1	0	1	0
Geraldton Health Service	0.45	R, S and A	0	0	1	1	0	0
Government Employees Superannuation Board	0.17	R, S and A	0	1	0	0	0	0
Health Department of Western Australia	0.98	R, S and A	0	1	3	0	2	0
Kimberley Health Service	0.13	R, S and A	1	0	0	1	1	0
		Performance Management	0	0	1	0	0	0
Lower Great Southern Health Service	0.73	R, S and A	0	0	0	0	1	0
Main Roads Western Australia	0.87	R, S and A	0	1	0	4	6	3
Metropolitan Health Service Board	19.97							
Armadale Health Service		R, S and A	0	0	0	0	1	0
Bentley Health Service		R, S and A	0	1	0	0	0	0
		Termination	0	0	0	1	0	0
Fremantle Hospital and Health Service		R, S and A	0	1	0	0	0	0
		Transfer	0	0	0	0	0	1
Graylands Selby Lemnos Hospital and Special Care Service		R, S and A	0	1	2	0	0	0
North Metropolitan Health Service		Transfer	0	0	1	0	0	0

<sup>3</sup> 1 January – 30 June 1996 only.

<sup>4</sup> One breach of Standard claim against the Grievance Resolution Standard is pending

<sup>5</sup> Breach MetroBus



Organisation	% of sector	Standard	96 <sup>3</sup>	1996-97	1997-98	1998-99	1999-00	2000-01
		Temporary Deployment	0	0	0	1	0	0
Perth Dental Hospital and Community Dental Services		R, S and A	0	0	1	0	0	0
Princess Margaret and King Edward Memorial Hospitals		R, S and A	0	0	2	0	0	0
Rockingham/Kwinana Health Service		R, S and A	0	1	0	0	0	1
Royal Perth Hospital and Inner City Health Service		R, S and A	0	0	0	1	0	0
		Grievance Resolution	0	0	0	0	3	0
Sir Charles Gairdner Hospital		R, S and A	0	0	2	6	0	0
		Performance Management	0	0	0	1	0	0
		Temporary Deployment	0	0	0	1	0	0
Swan Health Service		R, S and A	0	0	1	0	0	0
Ministry for Culture and the Arts	0.89	Redeployment	0	1	0	0	0	0
Ministry of Fair Trading	0.26	R, S and A	0	0	0	0	1	0
Ministry of Housing	0.86	R, S and A	2	0	0	2	0	0
Ministry of Justice	4.92	R, S and A	2	1	11	14	9	7
		Performance Management	0	0	1	1	0	0
		Grievance Resolution	0	0	0	1	0	0
Ministry of the Premier and Cabinet	1.01	R, S and A	0	0	2	0	0	0
Next Step Specialist Drug and Alcohol Services	0.17	Redeployment	0	0	0	1	0	0
Office of Racing, Gaming and Liquor	0.09	R, S and A	0	0	0	0	1	0
Office of Senior's Interests		R, S and A	0	1	0	0	0	0
Office of the Auditor General	0.09	R, S and A	1	0	0	0	0	0
Office of the Public Sector Standards Commissioner	0.03	R, S and A	0	0	1	0	0	0
Office of Water Regulation	0.02	R, S and A	0	1	0	0	0	0
Peel Community Health Service		R, S and A	0	1	0	0	0	0
Police Service	1.16	R, S and A	0	1	0	0	0	0
South East Metropolitan College of TAFE	0.77	R, S and A	0	0	0	0	1	0
		Transfer	0	0	0	0	0	1
South West Regional College of TAFE	0.66	R, S and A	0	1	0	0	0	1
State Revenue Department	0.25	R, S and A	0	0	0	5	0	0
		Transfer	0	0	0	0	0	1
Treasury Department	0.17	R, S and A	0	0	1	0	0	0
Upper Great South Health Service	0.42	Temporary Deployment	0	0	0	1	0	0
		Grievance Resolution	0	0	0	0	0	1
Vasse-Leeuwin Health Service	0.37	R, S and A	0	0	0	0	1	0
Wellington Health Service	0.22	R, S and A	0	1	0	0	0	0
West Coast College of TAFE	2.51	Redeployment	0	0	1	0	0	0
Western Australian Department of Training and Employment	1.21	R, S and A	0	1	0	2	1	0
Western Health Service	0.10	R, S and A	0	0	0	0	1	0
West Pilbara Health Service	0.24	R, S and A	0	0	0	1	0	0
Western Australian Government Railways (Westrail)	1.50	R, S and A	1	2	0	7	1	0
		Transfer	0	0	0	0	0	1
Western Australian Tourism Commission	0.15	R, S and A	1	0	1	2	0	1
WorkSafe Western Australia	0.14	Secondment	0	0	0	1	1	0
Zoological Gardens Board	0.12	R, S and A	0	2	1	0	0	0
<b>TOTAL</b>			21	58 <sup>6</sup>	149	77	48	36

<sup>6</sup> Does not include breach recorded for Dampier Port Authority

## Appendix 2: Substantiated Investigations 1995 – 2001

Organisation	% of sector	1995	1996-97	1997-98	1998-99	1999-00	2000-01
Agriculture Western Australia	1.94		1	1	0	0	1
Anti-Corruption Commission	0.07		1	0	0	0	0
Building and Construction Industry Training Fund	0.01		0	1	0	0	0
Bunbury Health Service	0.70		0	1	0	0	0
Central TAFE	1.25		0	0	0	1	0
Central West College of TAFE	0.51		0	0	0	1	0
Central Wheatbelt Health Service	0.21		0	1	0	1	0
Department of Conservation and Land Management	1.51		1	0	0	0	0
Department for Family and Children's Services	1.39		2	0	0	0	0
Department of Transport	0.95		1	0	1	0	0
Education Department of Western Australia	30.00		0	1	2	4	1
Esperance Community Health			0	0	1	0	0
Gascoyne Health Service	0.22		1	1	0	0	0
Health Department of Western Australia	0.98		0	0	1	0	1
East Pilbara College of TAFE			0	1	0	0	1
Kimberley Health Service	0.79		0	1	0	0	0
Main Roads Western Australia	0.87		1	2	1	1	0
Metropolitan Health Service Board	19.97						
Fremantle Hospital and Health Service			0	2	0	0	1
Perth Dental Hospital and Community Dental Services			0	0	1	0	0
Ministry of Fair Trading	0.26		0	1	0	0	0
Ministry of Housing	0.86		0	0	1	0	0
Ministry of Justice	4.92		0	2	0	1	5
National Trust of Australia (WA)	0.02		0	0	0	1	0
State Government Employees Superannuation Board			0	0	0	0	1
State Training Board (WA)			0	0	0	0	1
Western Australian Electoral Commission	0.05		0	1	0	0	0
Western Australian Police Service			0	0	0	0	1
Western Australian Tourism Commission	0.15		0	0	1	0	0
WorkSafe Western Australia	0.14		0	0	1	0	0
<b>Total</b>		5	8	16	10	10	13

### Appendix 3: Compliance Statements – Non-Statutory Authorities 1999-2000

		Complied		
	General Principles	Standards	Code of Ethics	Code of Conduct
Builders' Registration Board	Not stated	Yes	Yes	Yes
Painters' Registration Board	Not stated	Yes	Yes	Yes
Hairdressers' Registration Board	Not stated	Not stated	Not stated	Not stated
Legal Practice Board		No report received		
Nurses Board of WA	Not stated	Yes	Yes	Yes
Architects Board of WA	Not stated	Not stated	Not stated	Not stated
Pharmaceutical Council of WA	Not stated	Yes	Yes	Yes