



OPSSC

Office of the
Public Sector
Standards
Commissioner



STATE OF THE SERVICE REPORT 2008



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The report is available in PDF format at www.opssc.wa.gov.au

ISSN 1836-4853 (Print version)

ISSN 1836-4861 (Online version)

Published by the Office of the Public Sector Standards Commissioner

November 2008



**THE SPEAKER
LEGISLATIVE ASSEMBLY**

**THE PRESIDENT
LEGISLATIVE COUNCIL**

State of the Service Report 2008

I submit to Parliament my annual State of the Service Report for 2007-08 in accordance with section 21(1)(i) of the *Public Sector Management Act 1994* (PSM Act) and section 22 of the *Public Interest Disclosure Act 2003* (PID Act).

This is our first State of the Service Report under the PSM Act and the PID Act and aims to report on the compliance or non-compliance by public sector bodies and their employees with:

- the principles of human resource management set out in section 8(1) (a), (b) and (c) of the PSM Act;
- the general principles of official conduct as set out in section 9 of the PSM Act;
- with public sector standards, codes of ethics and codes of conduct established or developed, as the case requires, under section 21 of the PSMA; and
- the code establishing minimum standards of conduct and integrity for Public Interest Disclosure officers pursuant to section 20 of the PID Act.

The report primarily covers the period from 1 July 2007 to 30 June 2008.

Where appropriate, information from earlier years has been included for the purposes of reporting information not included in previous reports, providing updates on actions taken in response to previous recommendations, and providing comparisons over time and across the sector.

I seek permission to publish the report following tabling in Parliament.

Dr Ruth Shean
COMMISSIONER FOR
PUBLIC SECTOR STANDARDS

26 November 2008

ABBREVIATIONS AND ACRONYMS

APS	Australian Public Service Commission
CCC	Corruption and Crime Commission
CEO	Chief executive officer
DEOPE	Director of Equal Opportunity in Public Employment
EEO	Equal employment opportunity
EO Act	<i>Equal Opportunity Act 1984</i>
n	Number of observations within the overall sample (the number of agencies within the overall sample responding a particular way)
N	Number of observations within a population (the number of agencies in the overall sample)
OPSSC	Office of the Public Sector Standards Commissioner
PID Act	<i>Public Interest Disclosure Act 2003</i>
PSM Act	<i>Public Sector Management Act 1994</i>
s.	Section of an Act
ss	Multiple sections of an Act
WA	Western Australia

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COMMISSIONER'S OVERVIEW

As Commissioner for Public Sector Standards, I am pleased to present the first State of the Service Report.

This is a landmark report because it is the first to cover the practice and promotion of and compliance with both the *Public Sector Management Act 1994* (PSM Act) and s.22 of the *Public Interest Disclosure Act 2003* (PID Act) within public sector agencies and authorities. This report is pursuant to s.21(1)(i) of the PSM Act, and s.22(1) of the PID Act.

In previous years, the Office of the Public Sector Standards Commissioner (OPSSC) has lodged two separate annual compliance reports according to both legislative requirements. These compliance reports were based primarily on complaint data lodged with OPSSC, and responses to the OPSSC Employee Perceptions Survey, formerly known as the Climate Survey.

The new method of reporting in this State of the Service Report is more complete, in that it not only covers both the PSM Act and the PID Act, but it also includes more comprehensive data covering both Acts and compares data from both the CEO Annual Agency Survey and the Employee Perceptions Survey to gauge with increased accuracy how the sector is performing overall.

The scope of this report

The state government public service comprises some 155,000 public sector and government trading enterprise employees, and for compliance with the PID Act, this also includes an additional 29,000 local government employees and those working within public universities.

State of the Service seeks to report on the leadership, conduct and perceptions of those whose work entails serving the public of Western Australia. We collected data from:

- 351 agencies' chief executive officers (CEOs) and their senior colleagues (127 public sector agencies and sub-agencies, statutory authorities or Schedule 1 authorities, 142 local government authorities, 4 public universities and 78 boards or committees);
- 6,655 employees through the Employee Perceptions Survey (covering 13 public sector agencies or statutory authorities);
- 293 compliance inquiries made directly to our office (148 breach of standards claims and 145 general matters referred to OPSSC); and
- 1,208 general telephone enquiries about public sector standards, official conduct and the PID Act.

New streamlined CEO survey

In previous years, information about compliance was collected through three separate surveys. In 2008, these surveys were combined into a single annual survey with the assistance of 20 CEOs who comprise the OPSSC CEO consultative group. This was done in part to streamline the reporting requirements of CEOs, who are now required to complete a single survey rather than three separate surveys. It was also done to provide better information to agencies about their performance in ethics and integrity. Most importantly, we asked CEOs about compliance with the relevant sections of legislation. This would enable us to match CEO information with employee perceptions.

The response from CEOs has been overwhelmingly positive. At the time of surveying, we gave a commitment that data would be presented to give information across sectors. We undertook not to list the “best” and “worst” agencies. We have therefore presented overall data, and will also give CEOs information about how their agency compares with other similar agencies.

Linking data for a clearer overview

In 2007, reporting on public interest disclosure legislation presented an extra dimension. When OPSSC surveyed CEOs on their compliance with the PID Act, it was possible to match this with employees’ perceptions as surveyed through the Employee Perceptions Survey. In this way, when the good efforts of CEOs translated into action, it was possible to see this reflected through employee perceptions. Conversely, it was also possible to see where the efforts of CEOs and their senior colleagues were not hitting the mark. Our stakeholders told us that this was a useful way to report. We decided to look at how to expand this approach.

Therefore, the first State of the Service Report links the views and practice as reported by CEOs with employee perceptions as measured through the Employee Perceptions Survey. It also uses compliance inquiries as lodged with OPSSC.

Agency size

An important theme emerged from the results of the new CEO Annual Agency Survey and other compliance and monitoring tools indicating that agency size impacts on its ability to manage and implement governance, human resource and policy issues.

Generally, larger agencies have a greater capacity to develop systems and frameworks but do not perform as well with respect to policy implementation and communication. Small and medium size agencies communicate well but have less capacity to plan strategically as well as develop and implement specific policies or training initiatives.

The findings suggest that CEOs should make themselves aware of their likely vulnerability due to agency size and assess their specific risks according to their business and take appropriate action where necessary.

Future directions

OPSSC has identified the following key areas for action during 2009.

- Redeveloping the Employee Perceptions Survey to ensure that it has better linkages with relevant legislation, clarifies items relating to knowledge versus opinion and includes a web portal to allow agencies to access their own data. We anticipate piloting the survey in 2009, and will be able to report on preliminary results in our 2009 State of the Service Report.
- Continuing implementation of OPSSC's business improvement model to provide a systematic method for assessing risk. The development of the parallel CEO Annual Agency Survey to provide an in-house comparison for all agencies between senior management views and staff knowledge and perceptions has been a first step in this process.
- Providing data analysis as a diagnostic tool to CEOs to identify and target areas for improvement in their next cycle of business plans.
- Collaborating with agencies, targeting in particular small to medium agencies, to develop a best practice example manual on recruitment and selection consistent with public sector standards.
- Implementing phase two of the public sector code of ethics strategy to assist agencies to communicate to their employees the public sector Code of Ethics and their agency code of conduct to address ethical issues in the workplace.
- Collaborating with the Corruption and Crime Commission (CCC) and the Public Sector Commission to improve the interface between the *Corruption and Crime Commission Act 2003* and Part 5, Division 3 of the PSM Act with respect to the coherent management of disciplinary matters.

Conclusion

There are additional data which we have not reported in this State of the Service Report in the interests of a concise report. We will be presenting further data through our Parliamentary Series, and anticipate a report on grievance management in due course.

I would like to thank everyone who helped us to report compliance by providing information: CEOs and their senior colleagues, employees surveyed as part of the Employee Perceptions Survey and those who made compliance inquiries to OPSSC. We received a 100 percent response to the Annual Agency Survey. This excellent result has allowed us to capture a very broad view of the state of the service. All of your comments, views and information have contributed to providing this comprehensive report.

Finally, the response from six agencies was extremely comprehensive and indicated best practice in reporting and analysis of risk management in official conduct, human resource management and public interest disclosures. These agencies were:

- Department of Planning and Infrastructure;
- Insurance Commission of WA;
- Great Southern Development Commission;
- Great Southern TAFE;
- Country High Schools Hostels Authority; and
- Building and Construction Industry Training Fund.

To these agencies in particular, thank you for your extra effort in reporting.



Dr Ruth Shean
COMMISSIONER FOR
PUBLIC SECTOR STANDARDS

26 November 2008

KEY FINDINGS

Public Sector Management Act 1994

Leadership of CEOs

CEOs play a key role in the leadership of ethics and integrity in Western Australian public sector agencies. Most CEOs surveyed willingly accept this role.

- More than eight out of ten CEOs (85%) believe they are responsible for leading and championing the public sector standards and official conduct within agencies.

Employees' perceptions about CEO leadership

There is a discrepancy between what CEOs believe they are promoting, and what employees perceive.

- When asked about whether senior managers in the organisation led by example in ethical behaviour, fewer than seven out of ten staff (66.1%) surveyed agreed.

Public sector standards and leadership

Public sector standards, developed through the PSM Act, set out the basic requirements for human resource management within the public sector.

The standards include key human resource processes, and require that all selection processes are based on a proper assessment of merit and equity, all processes are free of nepotism and bias, and employees must be treated fairly and not subject to arbitrary or capricious administrative acts.

For public sector employees to act with integrity, and work within the public sector standards, they need to be aware of what the standards are.

- Nearly 80% of CEOs ensure that new employees learn about public sector standards at the time of employment.
- 85.8% ensure that new employees learn about the public sector Code of Ethics and the agency code of conduct through agency induction processes.
- Employees themselves are generally well aware of the standards, with 76% knowing about public sector standards – data which are comparable with the statements from CEOs.

- In the last year, 119 public sector employees lodged breach of standards claims and a further 22 investigations were undertaken by the OPSSC regarding breach of standards issues.

Room for improvement in communication

- One in twenty CEOs indicated that they do not communicate standards to staff at all in any organised manner.
- Employees themselves, while aware of standards, are less aware of follow up action available. Just over a third of employees were aware of action that could be taken if the standards were breached. Therefore two thirds of employees are not aware of actions available should any of the public sector standards be breached.
- In the last year, OPSSC investigated 293 compliance inquiries. This is likely to be an under-representation of compliance issues. Complaints are most likely to come from public sector agencies that have good staff awareness programs. It is probable that agencies where awareness levels are low regarding reporting mechanisms are not reporting compliance matters to OPSSC.

Accountability systems

A wide range of accountability systems are in place in public sector agencies. These range from strategic governance frameworks, accountability frameworks and risk management frameworks through to specific processes and strategies for specified areas. Data collected from agencies suggest that the reviewing and updating of these is in need of attention.

- 82.7% of agencies had a current strategic governance framework, an accountability framework or a risk management framework in place.
- 17.3% had no current overarching frameworks.

Selecting new staff

Selection panels for recruitment and selection processes need to be very aware of public sector standards in human resource management. Overall awareness across the sector is poor in this area.

Similarly, employees themselves indicated through responses to questions in the employee perceptions survey a lack of confidence in human resource management processes.

- Only one in two employees surveyed (52.5%) felt that selection panels selected candidates on the basis of merit and that selection processes were unbiased.
- Nearly two out of five employees (38.9%) felt that favouritism played a part in selection of people for acting opportunities.

- In the last year, OPSSC handled 148 breach of standards claims, of which 119 were regarding recruitment and selection.
- When asked “How do you ensure your employees (current or prospective) are aware of courses of action available if they believe a breach of standard may have occurred?” 66.9% responded that they included the information in their induction material (75% for agencies with between 200 and 1,000 staff).

Equal employment opportunity

In response to the question “Within your organisation, who leads and champions efforts in equal opportunity in public employment (described in Part IX of the *Equal Opportunity Act 1984*)?” agencies responded as follows.

- Almost nine out of ten CEOs (87.4%) saw themselves responsible for leading equal employment opportunity within their agency.
- Overall, 68.5% of agencies believed leading equal employment opportunity was also the responsibility of human resource managers.

Codes of ethics and conduct

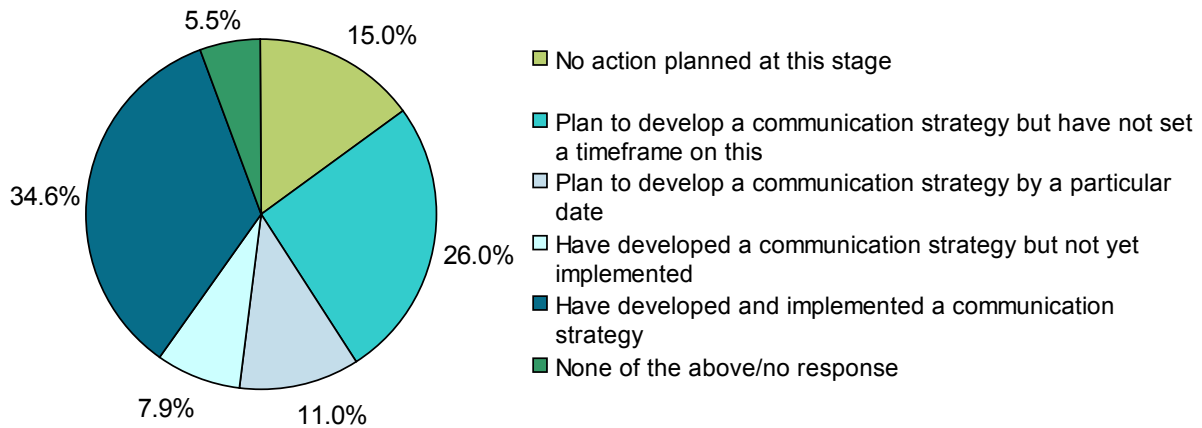
All agencies are required to have a code of conduct. The code of conduct is the agreed approach for communicating acceptable conduct within an agency, and is essential to promoting ethical behaviour and integrity in the public sector.

- An impressive 93% of agencies surveyed do have a code of conduct.
- 7% do not have a code of conduct.

In February 2008, OPSSC released the new Code of Ethics, along with a new Conduct Guide, to assist agencies to develop contemporary codes of conduct within their own agencies.

- 20.5% of agencies have not planned any action regarding communicating the Code of Ethics, or the agency code of conduct.
- A further 26% plan to develop a communication strategy but have set no timeframe for this.
- Only 34.6% of agencies have developed and implemented a communication strategy for the new Code of Ethics and their agency code of conduct.

Organisations who have developed or planned to develop a communication strategy for the new Code of Ethics and their code of conduct



Leadership in ethical behaviour

The leadership role of the CEO in developing and promoting codes of conduct is well understood.

- Nearly nine out of ten CEOs (86.6%) accept that it is their role to lead and champion the public sector Code of Ethics and the agency code of conduct.

Employee perceptions indicate room for improvement in this area.

- One in five employees surveyed (20.1%) had observed unethical behaviour which they did not report.

Bullying and harassment is an issue of ongoing concern. In response to the question “How does your agency work towards minimising the risk of bullying and/or harassment in the workplace?” agencies responded as follows.

- Seven out of ten agencies (68.5%) have policies on bullying and harassment developed and implemented.
- The remaining three out of ten agencies have work to do in developing policies on bullying and harassment.
- Most importantly, more than one in five (21.2%) employees surveyed said that they had been subjected to bullying or harassment in their workplace during the last 12 months.

Performance management

Performance management involves the regular assessment and documentation of employee progress against organisational goals. It is essential to good agency performance, and equally important to the development of the employee. The public sector standard in performance management recommends a minimum of one performance management session being held each year for every employee.

- 77.6% of employees surveyed were aware of the performance management standard.
- 80.3% of agencies reported that they had a performance management system in place.
- 10.2% of agencies had no system in place, and a further 9.4% did not respond to the question.

While the systems for performance management are in place in most agencies, the implementation of these systems is very poor.

- Fewer than 30% of agencies reported having conducted at least one performance management process with more than 80% of their staff in the last year.
- Fewer than 5% of agencies had conducted two performance management processes with more than 80% of their staff in the last year.

Disciplinary standard

In accordance with s.80 of the PSM Act, where an employee disregards a lawful order, contravenes the PSM Act or the code of ethics or a public sector standard, commits misconduct, is negligent or careless in performance of functions, or commits an act of victimisation in connection with the PID Act, then they are deemed to have committed a breach of discipline.

CEOs should address this through Division 3 of the PSM Act.

- 0.44% of public sector employees (687), or one in every 226, were subject to disciplinary processes during the year.
- 40.9% of completed cases (132), or one in every 2.4 cases, were subject to a negative finding.

Agency size

An important theme has emerged from the results of the new annual agency survey, combined with other compliance and monitoring tools, suggesting that agency size impacts on an agency's ability to manage and implement governance, human resource and policy issues. In our survey, agency size for the public sector was defined as fewer than 20 staff (very small), between 21 and 200 staff (small), between 201 and 1,000 staff (medium) and agencies with greater than 1,000 staff (large). For local government authorities it was defined as fewer than 25 staff (small), between 25 and 100 staff (medium), and authorities with more than 100 staff (large).

Survey results show that larger agencies have a greater capacity to develop systems and frameworks, but do not perform as well with respect to policy implementation and communication. Very small and small agencies communicate well but have less capacity to plan strategically as well as develop and implement specific policies or training initiatives.

Accountability systems

- 27.6% of agencies overall had carried out a comprehensive review of strategic governance frameworks in the last year, compared to 19.4% for agencies with fewer than 20 staff, 21% for agencies with between 20 and 200 staff and 46% for agencies with more than 1,000 staff.

Selecting new staff

- 67.7% of agencies with fewer than 20 staff and 86.8% with between 20 and 200 staff provide information on public sector standards to staff at induction. This compares to 88.5% for agencies with more than 1,000 staff.
- Overall, only 39.4% of panel members involved in selection processes are trained in action available if they believe a breach of standard may have occurred. This fell to 6.4% of agencies with fewer than 20 staff and 31.6% of agencies with between 20 and 200 staff. This compares to 73.1% for agencies with more than 1,000 staff.
- Overall 46.5% of agencies provided training for panel members about public sector standards. This fell to 9.7% for agencies with fewer than 20 staff, compared to 76.9% for agencies with more than 1,000 staff.
- 50.4% provided information to prospective employees in job application packages on courses of action available if they believed a breach of standard may have occurred (32.3% for agencies with fewer than 20 staff, compared to 65.6% for agencies with between 200 and 1,000 staff).

Codes of ethics and conduct

Agency size impacts on ability to implement change at a strategic level as well as communicate any change to staff.

- 38.6 % of agencies overall had carried out a comprehensive review of their code of conduct in the last twelve months, compared to 29% for agencies with fewer than 20 employees and 53.8% for agencies with more than 1,000 staff.
- 80.3% of all agencies provide new employees with written information as part of the induction process. For agencies with fewer than 20 staff, this figure drops to 67.7%.
- The highest levels of good communication at the time of employment occur within those agencies with between 20 and 200 staff, where 97.4% of staff can expect to have received written information about the public sector Code of Ethics and the agency code of conduct.
- 69.2% of agencies with more than 1,000 staff rely on senior managers to champion the organisation's efforts to apply the public sector Code of Ethics. This figure drops to 16% for agencies with fewer than 20 staff.

Leadership in ethical behaviour

Responses to these questions based on agency size highlight clear areas of risk for smaller agencies.

- Only 29% of agencies with fewer than 20 staff had clear processes established for dealing with allegations of bullying and/or harassment. This figure was above 80% for all agency groupings with more than 20 staff.
- Similarly, 32.3% of agencies with fewer than 20 staff have specific policies developed and implemented, compared to 78% for all agency groupings with more than 20 staff.
- Overall, agencies with fewer than 20 staff scored lower than agencies of larger size groups for all response options to this question. This suggests a lack of capacity by smaller agencies to deal with important policy issues such as bullying and harassment.

OPSSC appreciates that smaller agencies may well need more assistance than larger agencies and will provide targeted assistance to such agencies under s.21(1)(c) and (d) of the PSM Act.

Employee perceptions: Inter-jurisdictional comparisons

Western Australia compares well with other jurisdictions, particularly in the areas of consultation, ethical leadership and equity and diversity.

- Approximately 70% of WA public sector employees agreed that their input is adequately sought and considered about decisions that directly affect them. This compares with responses from Tasmania of 57%, the Australian Public Service Commission (APS) 52%, Victoria 55% and South Australia 55%.
- When asked whether senior managers in their agency led by example in ethical behaviour, 70% of public sector employees agreed with the statement. This compares with responses from Tasmania of 58%, the APS 57%, Victoria 47% and South Australia 61%.
- The proportion of WA public sector employees agreeing that their agency is committed to creating a diverse workforce (81%) is higher than Tasmania (62%), the APS (68%), Victoria (61%) and South Australia (59%).

Public Interest Disclosure Act 2003

The growing impact of new legislation

The Public Interest Disclosure Act was proclaimed in 2003. The PID Act enables people to make disclosures about improper conduct within the state public sector, local government and public universities with protections from reprisal. The PID Act aims to ensure openness and accountability in government by encouraging people to make disclosures and protecting them when they do. Awareness of the PID Act and its provisions has been growing steadily, a result of the good work by CEOs in promoting the PID Act in the workplace.

Nine out ten public sector agencies completing the compliance survey had internal public interest disclosure procedures in place. Local government authorities and boards or committees did not perform as well with respect to this requirement under the PID Act.

- 87.5% of public sector agencies had procedures in place, 1.7% had no procedures in place and 10.8% did not respond.
- 69.7% of local government authorities had procedures in place, 16.2% had no procedures in place and 14.1% did not respond.
- 55.1% of boards or committees had procedures in place, 6.4% had no procedures in place and 38.5% did not respond.

All agencies covered by the PID Act are required to provide OPSSC with an annual report on compliance with the PID Act.

- 100% of public sector agencies, local government authorities and public universities reported in compliance with the Act.
- Reporting from state government boards and committees was substantially lower, with only 70% of those surveyed doing so.

Awareness and trust still low among employees

Despite significant improvement in reporting on and promotion of the public interest disclosure legislation, awareness of the PID Act and trust in its protections remains low.

- Only 27.4% of employees surveyed are aware of the PID Act.
- 27.7% of employees believe that if they made a public interest disclosure, their career prospects would be adversely affected.
- Only 29.4% of those surveyed reported confidence if they made a public interest disclosure, that they would not be subject to victimisation or harassment.

These data are of concern. Although awareness of the PID Act is increasing, there is no evidence to suggest that trust in its protections are increasing. Agencies must reinforce the right of staff to report public interest disclosures to proper authorities other than the home agency. OPSSC's independent oversight of public interest disclosure is essential in ensuring this message gets through to employees. This independent oversight will increase trust in the process.

Agency size

Within the public sector, agency size also seems to play a significant role when it comes to championing the PID Act and raising awareness amongst staff.

Leadership

Agencies of all sizes considered that championing the PID Act was the responsibility of the CEO (range = 77.4% to 88.6%). When asked to nominate if it was also the responsibility of senior management, agencies with fewer than 20 staff were much less likely to agree.

- 12.9% of agencies with fewer than 20 staff nominated senior managers as responsible for championing the PID Act, compared to 31.6% for agencies with between 20 and 200 staff, 28.1% for agencies with between 200 and 1,000 staff and 53.8% for those with more than 1,000 staff (this trend was similar for human resource managers).

Communication within local government

The capacity for local government authorities to disseminate awareness raising materials about the PID Act, using more innovative methods like newsletters, broadcasts and the intranet, is also dependent on their size. Smaller authorities appear less able to use these communication methods when it comes to raising awareness of the PID Act.

- Authorities with fewer than 25 staff were much less likely to use the intranet to raise awareness (4%), compared to authorities with between 25 and 100 staff (9%) and more than 100 staff (33%).
- This was also the case for publishing public interest disclosure procedures where authorities with fewer than 25 staff were much less likely to use the intranet to publish public interest disclosure procedures (2%), compared to authorities with between 25 and 100 staff (13%) and more than 100 staff (51%).

Implications for CEOs

- Codes of conduct are an essential management tool. They translate the principles from the public sector Code of Ethics into accepted practice for each workplace. Codes of conduct are mandatory. All agencies should ensure that their code of conduct is current and relevant to their business. They must also ensure that it covers those areas covered in the OPSSC Conduct Guide. Failure to do this could result in a lack of oversight and accountability in essential areas of governance. For further information refer to <http://www.opssc.wa.gov.au/documents/ethicsintegrity/Conduct%20Guide.pdf>
- All agencies have vulnerabilities as a function of size. It is important that agencies are alert to those risks which relate to their size. For those domains where size is likely to be a barrier, agencies are advised to seek assistance and ameliorate as necessary. OPSSC can advise and assist in this respect.
- Good recruitment is essential to a strong workforce and the good reputation of the public sector. The recruitment practices of the public sector are not well regarded. Our research shows that these concerns are well founded. All agencies are advised to review their recruitment practices, and must ensure that those involved in recruitment are trained to do so. OPSSC is currently developing a policy manual on recruitment to assist agencies in this regard.
- All agencies should focus on ways to reduce bullying and harassment. It is critical that each agency has a policy which specifies a zero-tolerance approach to bullying and harassment. Agency codes of conduct should reflect this. Staff must be made aware of this approach. Agencies must always take action to address suspected bullying and/or harassment.
- CEOs must recognise that under the PID Act, they hold primary responsibility for ensuring that their public authority complies with the PID Act and the code of conduct and integrity. Thus, all CEOs must ensure that they have designated the occupant of a specified position as the person responsible for receiving public interest disclosures - s.23(1)(a); prepared and published internal procedures relating to the authority's obligations under the Act that are consistent with the Commissioner's guidelines in - ss 23(1)(e) and 23(2); and provided protection from detrimental action or the threat of detrimental action for any employee of the public authority who makes an appropriate disclosure of public interest information - s.23(1)(b).
- Performance management is essential to good agency performance and equally important to the development of the employee. Ideally employees should have two performance management sessions each year. Agencies are urged to ensure this frequency of performance management. For agencies where structures result in a large number of direct reports, innovative approaches to performance management can reduce the supervisory demands.

COMPLIANCE SECTION 1: PUBLIC SECTOR MANAGEMENT ACT 1994

Monitoring activities

Section 21 of the *Public Sector Management Act 1994* (PSM Act) requires the Commissioner to report annually to each House of Parliament on compliance or non-compliance of public sector bodies (refer to Appendix 1). The Commissioner may also report from time to time on specific compliance issues to the Parliament and the relevant Minister of the Crown.

Information gathered through monitoring is used to assist agencies to improve their practices and to identify key issues and problem areas in the sector for reporting purposes.

Individuals seeking personal redress to an issue from the Commissioner can only do so in relation to alleged breaches of the *Public Sector Standards in Human Resource Management 2001*. This redress is provided through the *Public Sector Management (Breaches of Public Sector Standards) Regulations 2005*.

What we monitor

The Commissioner is required to monitor and report on the extent of compliance or non-compliance by the Western Australian public sector with the:

- general principles of human resource management – s.8(1)(a)(b) and (c) PSM Act;
- general principles of official conduct – s.9 PSM Act;
- *Public Sector Standards in Human Resource Management 2001*; and
- Western Australian public sector Code of Ethics and codes of conduct developed by public sector bodies.

Who we monitor

The jurisdiction of OPSSC's monitoring and reporting role applies to all public sector bodies. These include:

- public sector agencies;
- agencies established for a public purpose by law (including public boards and committees); and
- WA ministerial offices.

OPSSC's jurisdiction under the PSM Act does not include organisations and employees outside the public sector, such as:

- organisations specifically excluded by Schedule 1 of the PSM Act, such as universities and port authorities;
- the Commonwealth Government;
- local government authorities;
- sworn officers of the Western Australia Police;
- Ministers of the Crown and/or Parliamentary or electorate staff; and
- corporatised organisations such as the Water Corporation and Alinta Gas.

Some of the above authorities have accountability requirements within their own legislation which involve oversight by OPSSC. OPSSC's jurisdiction under the *Public Interest Disclosure Act 2003* differs, and is explained more fully later in this report.

How we monitor

The Commissioner uses a range of strategies to monitor compliance. These strategies are used both individually and in combination to enable an assessment as to the extent of compliance or non-compliance. As well as monitoring being used to inform Parliament of compliance and non-compliance, it is also used to target the Commission's assistance role as specified by PSM Act s.21(1)(c)(d).

The monitoring methods of OPSSC include:

- compliance inquiries (breach of standards claims and general inquiries);
- the CEO Annual Agency Survey; and
- the Employee Perception Survey.

This section provides a brief description of these methods and their limitations.

Compliance inquiries

Breach of standards claims

The *Public Sector Management (Breaches of Public Sector Standards) Regulations 2005* provide for persons to lodge claims where they believe that a public sector standard has been breached, and they have been adversely affected. In 2007-08, 126 breach of standard claims were received by OPSSC. Where breaches are determined, the Commissioner recommends the appropriate relief to be provided to the person by the respective agency. In a more general sense, analysis of claim activity provides insight into key compliance trends and areas where more detailed assistance may be required. Where appropriate, the Commissioner may raise with an agency an

area identified as placing it at potential risk of non-compliance with the public sector standards.

General

In 2007-08, 130 compliance inquiries were submitted to OPSSC. These matters were examined and action taken as appropriate. Further, the issues raised were analysed to determine recurring themes or areas of particular importance or risk. Where matters are not covered by the scope of OPSSC they were referred to the appropriate authority.

Under s.24 of the PSM Act

Over and above the capacity to receive compliance inquiries, the Commissioner may also initiate investigations under s.24 of the PSM Act.

Data limitations

While all three types of compliance inquiries listed above provide a method for assisting the Commissioner to determine non-compliance, it is recognised that agencies which actively promote the compliance reporting process through internal policies and procedures and staff education and awareness programs, are most likely to report more issues of potential non-compliance. It is possible that there will be an under-representation of compliance inquiries from agencies where employees lack awareness because of inadequate processes.

During 2008-09 OPSSC plans to expand methods used to collect information on compliance and non-compliance to include an audit based approach to address these limitations.

Annual Agency Survey

Pursuant to s.31 of the PSM Act, agencies are required to report on the extent to which public sector standards, codes of ethics, and any relevant code of conduct have been complied with.

Data limitations

During 2007-08 this method of monitoring and reporting was significantly expanded through the development and implementation of the new Annual Agency Survey directed at CEOs. A working group of approximately 20 CEOs assisted with the development of this new Annual Agency Survey. The new Annual Agency Survey combined three previously separate reporting requirements into the one survey in order to streamline reporting and provide a planning and diagnostic tool for agencies.

The results of the Annual Agency Survey are used to generate sector-wide and agency based measures of compliance with public sector standards, codes of ethics/conduct, equal employment opportunity legislation and the

PID Act. These results are also considered in conjunction with information obtained through the Employee Perceptions Survey.

Employee Perceptions Survey

Surveys of medium to large public sector agencies (approximately 100 staff and above) have been conducted on a five yearly basis in relation to employee perceptions of agency human resource management, ethics and equity. Feedback on the results of the Employee Perceptions Survey, together with analysis of the agency's demographic data, any agency-specific human resource management and ethics issues, and the agency's equal employment opportunity management plan, are provided to the senior executive groups of each agency.

Data limitations

This survey process has its limitations, as those agencies selected for survey (15 to 20 agencies) in any given year are not necessarily representative of the whole public sector. Further, only a third of employees surveyed respond. This compares to a 100 percent response from the Annual Agency Survey, suggesting that any comparison of views between the two surveys is indicative and not conclusive.

From 2008-09, OPSSC plans to overcome these difficulties through reviewing the survey questions, as well as implementing a statistically representative sampling method.

The survey questions will be reviewed with the aim of linking them more closely to:

- relevant legislation;
- revised public sector standards;
- OPSSC's business improvement model for the public sector; and
- the Annual Agency Survey.

It is envisaged that the new survey will be administered biennially to a representative sample of employees. OPSSC anticipates that the revised survey and implementation methodology will be piloted during 2008-09.

Compliance inquiries - breach of standards claims

During 2007-08, 148 breach of standards claims were managed by OPSSC. Of these, 29 were lodged in the previous financial year but were finalised in 2007-08. Twenty-two of the remaining 119 claims lodged in 2007-08 were not finalised during the year and outcomes will be reported in the 2008-09 reporting year.

The table below provides a summary of the breach claim process and outcome by each respective Standard for all claims managed during 2007-08.

Breach claim outcomes – 1 July 2007 to 30 June 2008

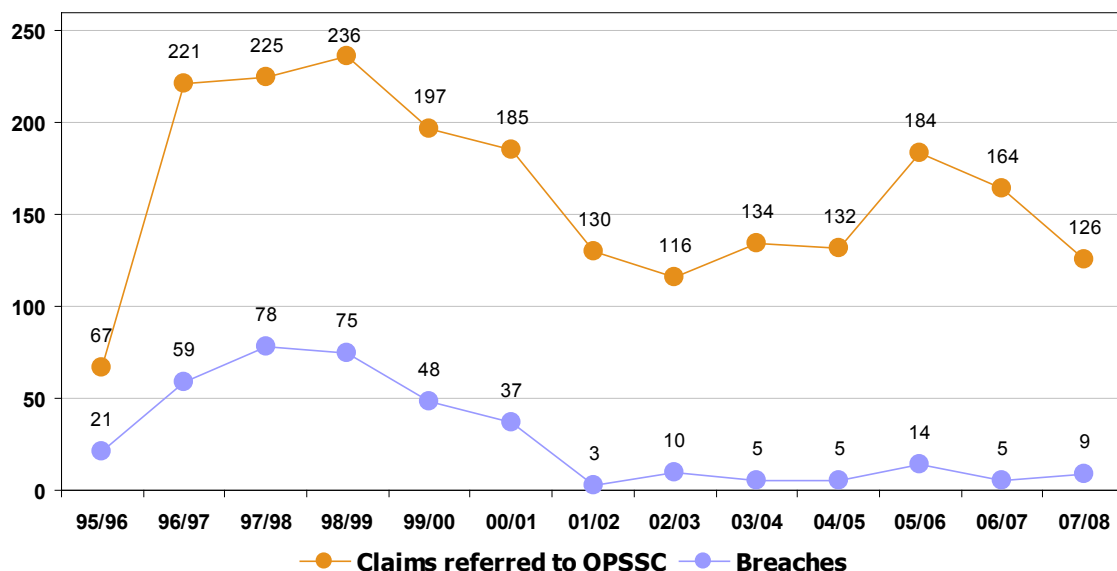
Standard	Breach	Dismissed	Conciliated	Withdrawn	Lapsed	Out of Jurisdiction	Ongoing	Total
Recruitment, Selection and Appointment (RSA)	Six breach claims were recorded but 3 of the 6 claims were for the same selection process. Therefore total breaches under the RSA Standard is 4 Dept of Health (2) Dept of Culture and the Arts Dept of Corrective Services	76	5	13	1		18	119
Grievance	3 WorkCover Dept of Health Dept of Education and Training	8	1	1	1		4	18
Redeployment		1				1		2
Acting	1 Dept of Corrective Services	2		1				4
Transfer		2						2
Performance Management						1		1
Secondment	1 Dept of Health	1						2
Total	9	90	6	15	2	2	22	148

Breach claim trend

This year has seen an increase in the incidence of substantiated breach claims despite a slight reduction in the number of claims lodged. Of the 126 claims finalised during 2007-08, nine were assessed to be a breach of one of the Standards.

As is the case for most years, the majority of claims being lodged are against the Recruitment, Selection and Appointment Standard. As anticipated in previous years, consistent with the introduction of new regulations requiring employing authorities to provide notification to employees about breach rights at the conclusion of the grievance process, there has been an increase in the proportion of claims lodged against the Grievance Resolution Standard. Thirty percent (30%) of breach determinations were in relation to this Standard.

Breach of standard claims 1995-2008



Note: The 2001 regulations were implemented during the 2000-01 financial year. Prior to this date all claims came to OPSSC. After this date claims could be handled by the agency and were only referred to OPSSC where they could not be resolved. During 2004-05 new regulations were also implemented. One of the key changes requires provision of notification to employees about breach rights at the conclusion of a grievance process.

Common concerns raised by claimants and themes identified by OPSSC as risk areas for non-compliance with the Standards for agencies are not dissimilar to those identified in previous years, and include the following.

Standard	Main issues raised
Recruitment Selection and Appointment	<ul style="list-style-type: none"> • Managing conflict of interest matters • Proper assessment of applicants • The final selection decision • Use of numeric rating scales • Introducing information external to the process • Verifying qualifications
Grievance	<ul style="list-style-type: none"> • Ensuring natural justice principles apply to all parties to the process • Suitability of the process and/or outcome • Being informed of rights and responsibilities
Acting	<ul style="list-style-type: none"> • Process documentation and capacity to review
Transfers	<ul style="list-style-type: none"> • Taking into account employee interests

OPSSC will continue to work closely with agencies to address what are often relatively straightforward issues (for example - ensuring the provision of timely and complete feedback to unsuccessful applicants) and to communicate these risks of non-compliance via regular forums and other communication channels.

Compliance Inquiries – General

Pursuant to s.21 of the PSM Act, Compliance Inquiries – General can address areas beyond the scope of the breach of standard claim process and provide information to assist the Commissioner to monitor compliance. These compliance inquiries relate to the general principles of official conduct and the Commissioner can choose to undertake an inquiry or review as a result of compliance inquiries.

Where conduct or practice is not compliant, the Commissioner reports this to Ministers, Parliament and the agency concerned. Where appropriate the agency is offered targeted assistance to help address the matter and OPSSC will also follow up on the implementation of any measures that have been recommended.

Compliance Inquiries – General for 1 July 2007 to 30 June 2008

Of the 145 Compliance Inquiries – General matters dealt with by OPSSC during 2007-08, 130 were lodged during 2007-08, 15 were carried over from the previous year and 10 are currently ongoing. This is greater than a two-fold increase compared to the 2006-07 reporting year where there were 54 Compliance Inquiries – General within jurisdiction. Arising from the 135 Compliance Inquiries – General completed, the conduct and practice in three were determined as non-compliant.

Categories of Compliance Inquiries – General

Regulatory Coverage - PSM Act	Compliance Inquiries – General	Compliance Inquiries – General that were referred to the breach of standard claim process
Section 8	106	22
Section 9	39	N/A

Non-compliant conduct or practice

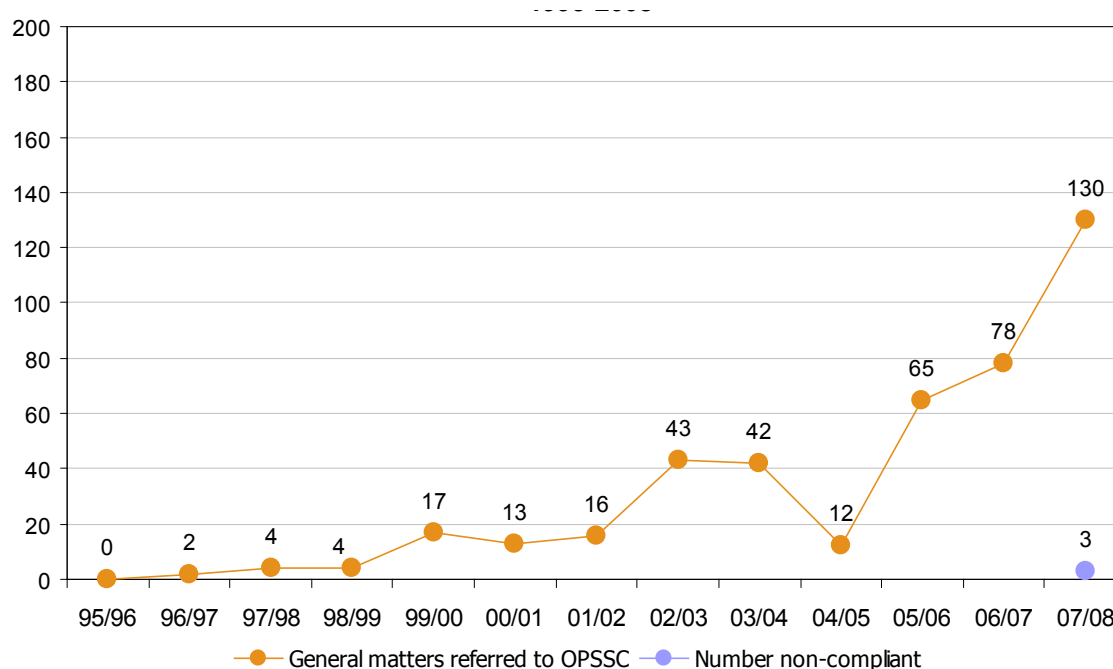
Department	Theme
WA Planning Commission*	Management of conflict of interest
Main Roads*	Temporary deployment (acting)
Department of Employment and Consumer Protection*	Temporary deployment (acting)

* Reported in the Parliamentary Series Report One

Compliance Inquiries – General trend

The chart below clearly highlights the increase in activity for OPSSC with respect to assessing compliance under s.21 of the PSM Act. From 2007-08 the Commissioner commenced recording compliance and non-compliance and naming non-compliant agencies.

Compliance Inquiries – General matters referred to OPSSC 1995-2008



Note: Data include all general matters referred to OPSSC for assessment. Some of these matters do not fall within the jurisdiction of OPSSC and are subsequently referred to an appropriate authority.

Annual Agency Survey (quality processes, public sector standards, ethics and equal employment opportunity)

Under s.31 of the PSM Act, CEOs are required to provide information on the extent of compliance with the Public Sector Standards in Human Resource Management, Western Australian public sector Code of Ethics and agency codes of conduct. This is in accordance with guidelines issued by the Commissioner.

During 2007-08, OPSSC developed and implemented a new Annual Agency Survey in order to assess the extent of compliance with the Public Sector Standards in Human Resource Management, Western Australian public sector Code of Ethics and agency codes of conduct. The survey was also combined with reporting requirements covered by the PID Act (refer to Section 2) and the EO Act to streamline the reporting requirements under the three Acts administered by OPSSC and the Director of Equal Opportunity in Public Employment (DEOPE).

The survey was developed with a working group of approximately 20 CEOs and was available for completion in either hard copy, electronically or as an on-line survey. The State of the Service Report reports on those sections relating to:

- internal quality processes;
- Public Sector Standards in Human Resource Management (refer to Appendix 3 – page 81);
- Code of Ethics;
- equal employment opportunity;
- workplace flexibility; and
- PID Act (refer to Compliance Section 2: Public Interest Disclosure Act 2003 section – page 49).

Survey response rate

For 2007-08, all public sector agencies, statutory authorities and Schedule 1 authorities completed and returned their Annual Agency Survey (N = 127). This sample included 106 public sector agencies covered by the PSM Act. In addition, 21 Schedule 1 authorities were required to provide OPSSC with information relating to some sections of the survey. Refer to Appendix 2 for a list of those public sector agencies, statutory authorities and Schedule 1 authorities completing the 2007-08 Annual Agency Survey with respect to the sections of the three Acts overseen by OPSSC and DEOPE.

Survey results – sections specific to the PSM Act

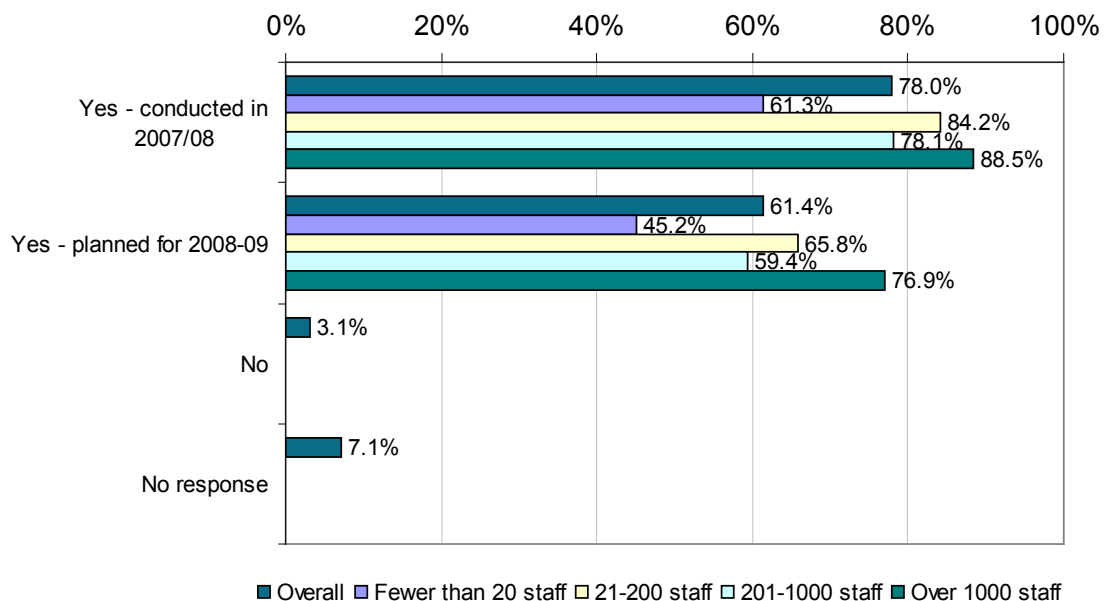
The following analysis provides a general overview of the results for sections of the survey specific to the PSM Act. The results for each question are presented in a chart and supplemented with a descriptive summary. Where there were clear differences in the results between very small, small, medium or large agencies/

authorities, these are presented in a separate chart as well as in the descriptive summary. Agency size is based on the following categories:

1. agencies with fewer than 20 staff (very small);
2. agencies with between 21 and 200 staff (small);
3. agencies with between 201 and 1,000 staff (medium); and
4. agencies with greater than 1,000 staff (large).

Section A - Internal quality processes

A1: Organisations who have reviewed governance frameworks, policies, programs or practices in the last 12 months, or plan to do so



Agencies were asked “Has your organisation conducted any reviews of governance frameworks, policies, programs or practices in the last 12 months, or does it plan to do so in the next 12 months, to improve processes relevant to the Human Resource Management Standards, Code of Ethics/Conduct (or organisational values consistent with the public sector values and employment principles) or Equal Employment Opportunities?”

Approximately 78% of agencies indicated that they had conducted some form of review of governance frameworks during 2007-08. A further 61.4% planned to review some aspect during 2008-09. As would be expected, larger better resourced agencies appear more proactive in this area.

The table below provides an indication of which aspects of internal governance frameworks have been or are planned to be reviewed by public sector agencies.

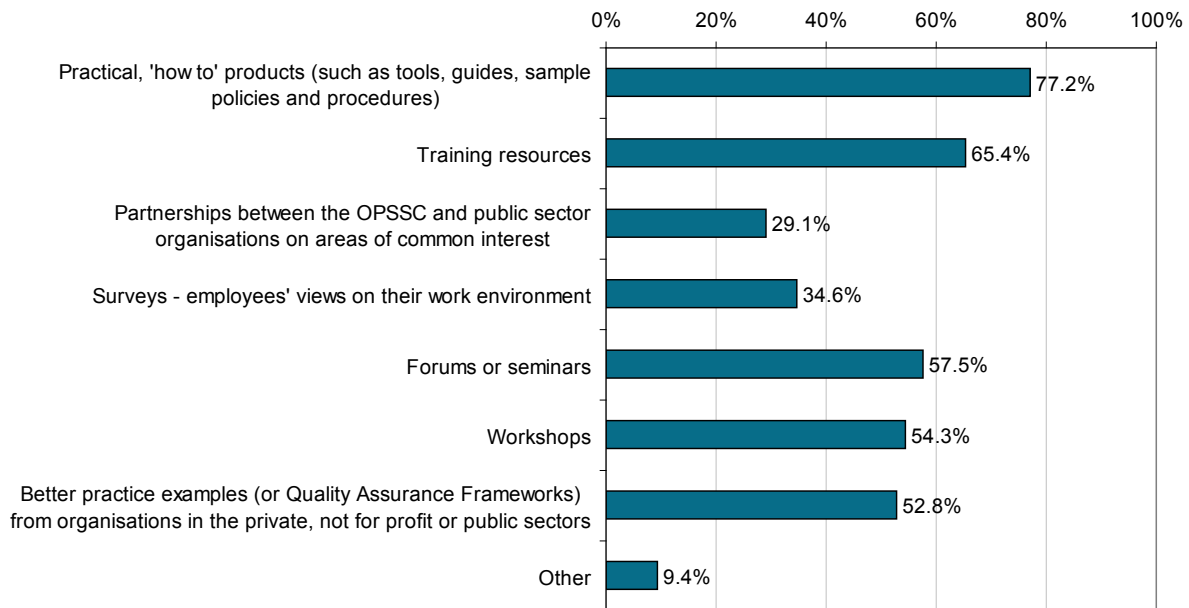
A2: For the agencies who are reviewing or plan to review processes, which areas will be updated or reviewed?

	Minor update	Comprehensive review	Internal audit	Planned review for 2008-09	Nothing undertaken
A) Strategic governance framework	15.0%	27.6%	4.7%	19.7%	42.5%
B) Accountability framework	13.4%	21.3%	6.3%	17.3%	52.0%
C) Performance management processes	25.2%	22.8%	7.1%	30.7%	27.6%
D) Risk management framework	17.3%	28.3%	14.2%	33.9%	20.5%
E) Management of unsatisfactory performance	12.6%	9.4%	6.3%	24.4%	52.8%
F) Staff promotion and advancement procedures	17.3%	11.0%	4.7%	14.2%	58.3%
G) Recruitment processes	22.0%	24.4%	9.4%	27.6%	34.6%
H) Code of Ethics / Conduct	21.3%	38.6%	5.5%	33.9%	18.1%
I) EEO employment strategies	23.6%	22.8%	5.5%	26.8%	36.2%
J) Learning and development actions relating to the values and principles	18.1%	11.0%	2.4%	26.8%	50.4%
Others	1.6%	5.5%	1.6%	1.6%	9.4%
Nothing undertaken for any of the above	9.4%				
Nothing undertaken for either A, B or D	17.3%				

Note: Surveyed public authorities were able to choose multiple options for this question.

- 17.3% of agencies did not have a current strategic governance framework, accountability framework or risk management framework.
- 27.6% of agencies had carried out a comprehensive review of strategic governance frameworks in 2007-08 (46% for agencies with more than 1,000 staff), while a further 19.7% planned to review them in 2008-09.
- 21.3% of agencies had comprehensively reviewed their accountability frameworks in 2007-08 (34.6% for agencies with more than 1,000 staff). A further 17.3% planned to do so in 2008-09.
- 22.8% had carried out a comprehensive review of their performance management processes in 2007-08, (12.9% for agencies with fewer than 20 staff, compared to 30.8% for agencies with more than 1,000 staff) while a further 30.7% planned to review them in 2008-09.
- 28.3% of agencies had carried out a comprehensive review of their agency's risk management frameworks in 2007-08 (19.2% for agencies with more than 1,000 staff), while a further 35% planned to review them in 2008-09.
- 9.4% of agencies had comprehensively reviewed their management of unsatisfactory performances in 2007-08, while a further 24.4% planned to do so in 2008-09.
- 24.4% of agencies had comprehensively reviewed their agency's recruitment processes in 2007-08 (40.6% for agencies with between 200 and 1000 staff), while a further 26% planned to do so in 2008-09.
- 38.6% of agencies had carried out a comprehensive review of their code of conduct in 2007-08 (53.9% for agencies with more than 1,000 staff), while a further 34% planned to review theirs in 2008-09.
- 22.8% of agencies had comprehensively reviewed their EEO employment strategies in 2007-08 (3.2% for agencies with fewer than 20 staff), while a further 27% planned to do so in 2008-09.

A3: Which types of support activities would your agency be interested in if offered by OPSSC?



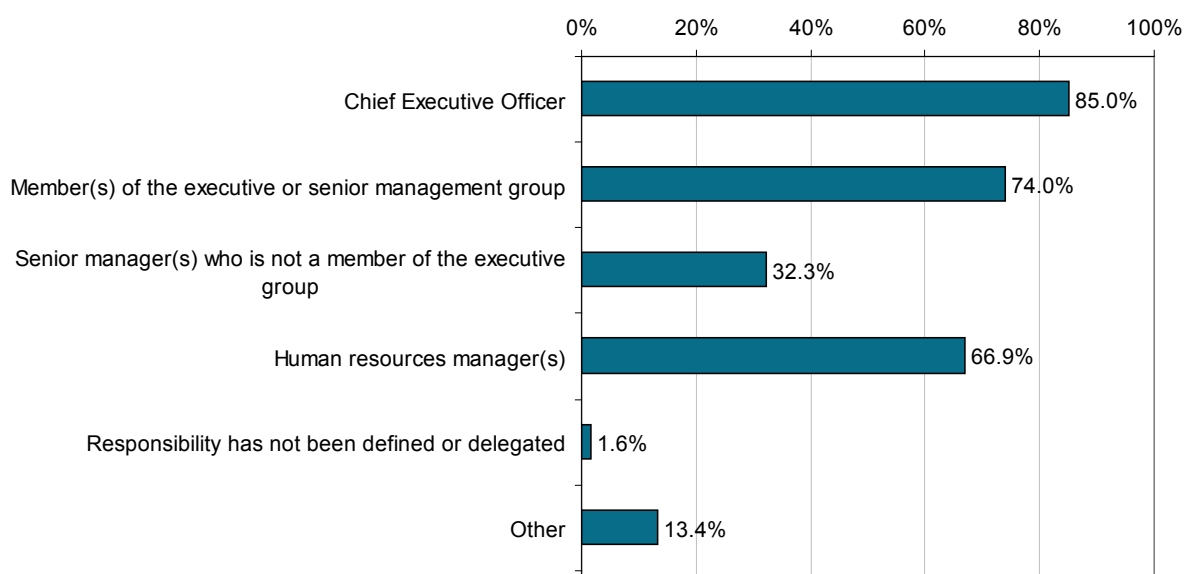
Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “Which types of support activities, if any, would your agency be interested in if offered by OPSSC?” agencies responded as follows.

- 77.2% showed interest in practical ‘how to’ products (for example, tools, guides, sample policies and procedures, case studies, videos), (61.3% for agencies with fewer than 20 staff, compared to 82% for agencies with more than 20 staff).
- 65.4% showed interest in training resources (48.4% for agencies with fewer than 20 staff, compared to 78.1% for agencies with between 200 and 1,000 staff).
- 57.5% showed interest in forums or seminars (32.3% for agencies with fewer than 20 staff compared with 84.6% for agencies with more than 1,000 staff).

Section B - Public Sector Standards in Human Resource Management

B1: Who leads and champions efforts within organisations to apply the Public Sector Standards in Human Resource Management and official conduct?

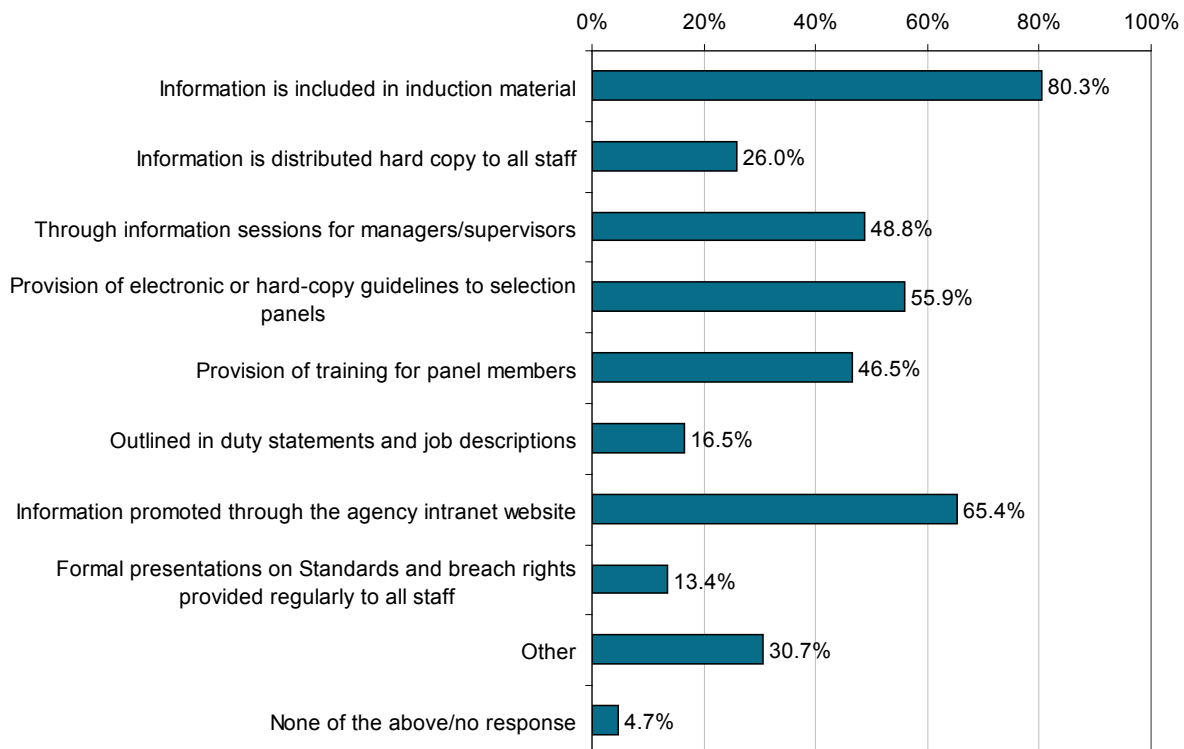


Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “Within your organisation, who leads and champions efforts to apply the Public Sector Standards in Human Resource Management and official conduct?” agencies responded as follows.

- 85% of agencies said the CEO was responsible.
- 74% said members of the executive or senior management group were (48.4% for agencies with fewer than 20 staff believed this to be the case).
- 32.3% of agencies reported that the duty lies with senior managers not in the executive group (65.4% for agencies with more than 1,000 staff).
- 66.9% of agencies said the human resources manager, (while this was the view of 88.5% of the agencies with more than 1,000 staff).

B3: How do you ensure your employees are aware of the Human Resource Management Standards?

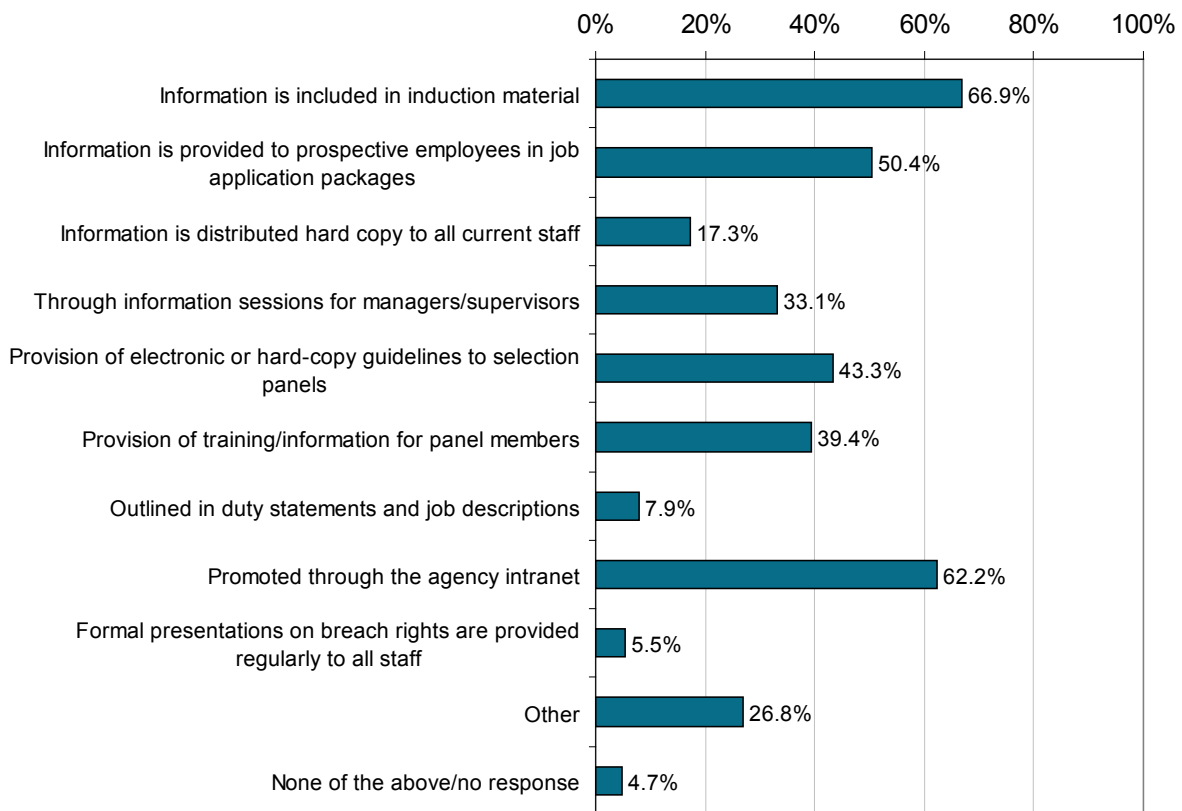


Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “How do you ensure your employees are aware of the Human Resource Management Standards (for example, Recruitment, Selection and Appointment; Acting, Grievance Resolution and Performance Management Standards)?” agencies responded as follows.

- 80.3% included the information on their induction material.
- 26% distributed a hard copy of the information to all staff.
- Overall 48.8% held information sessions for managers/supervisors, (65.4% for agencies with more than 1,000 staff).
- 55.9% provided electronic or hard copy guidelines to selection panels, (25.8% for agencies with fewer than 20 staff).
- 46.5% provided training for panel members, (9.7% for agencies with under 20 staff, compared to 76.9% for agencies with more than 1,000 staff).
- 16.5% of the overall sample outlined the Standards in their duty statements and job descriptions, (the highest group was 23% for agencies with fewer than 20 staff).
- 65.4% of agencies promoted the information through their intranet site (84.4% for agencies with between 200 and 1,000 staff).
- 13.4% held regular formal presentations on Standards and breach rights to all staff.

B4: How do you ensure your employees (current or prospective) are aware of courses of action available if they believe a breach of standard may have occurred?



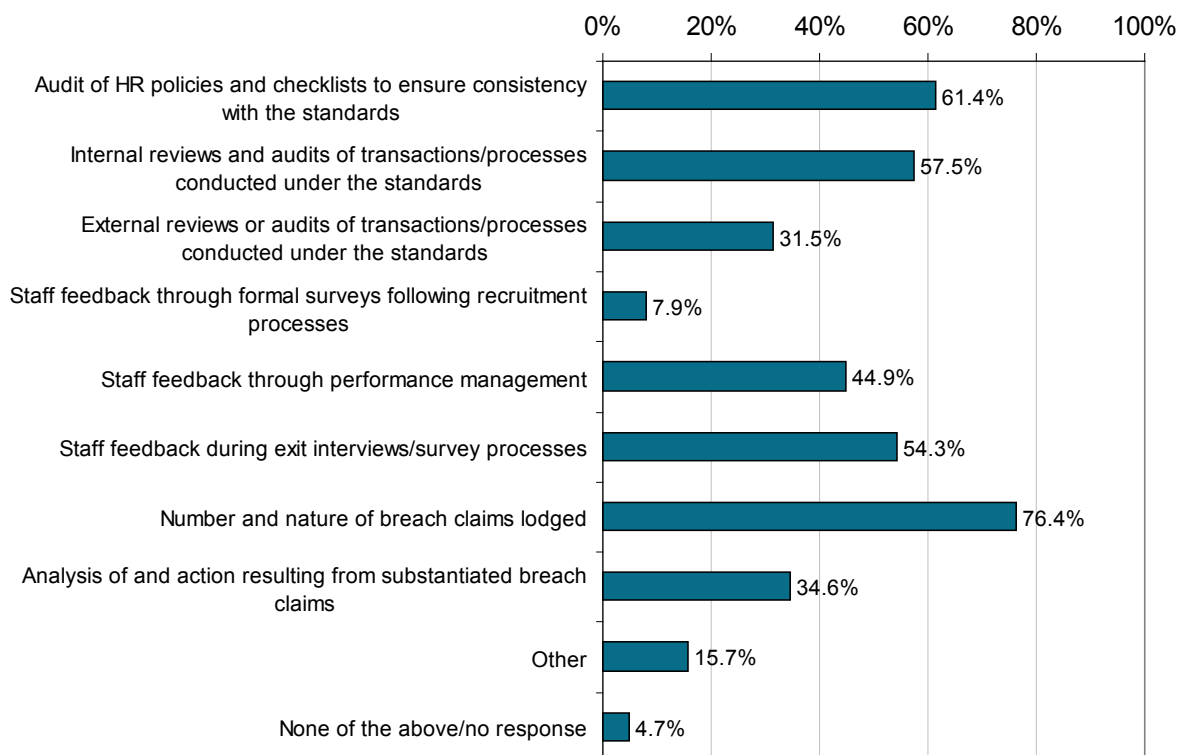
Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “How do you ensure your employees (current or prospective) are aware of courses of action available if they believe a breach of standard may have occurred?” agencies responded as follows.

- 66.9% included the information on their induction material (75% for agencies with between 200 and 1,000 staff).
- 50.4% provided information to prospective employees in job application packages (32.3% for agencies with fewer than 20 staff, compared to 65.6% for agencies with between 200 and 1,000 staff).
- 17.3% distributed a hard copy to all current staff (6.2% for agencies with between 200 and 1,000 staff, compared to 11.5% with more than 1,000 staff).
- 33.1% held information sessions for managers/supervisors.
- 43.3% provided electronic or hard copy guidelines to selection panels (62.5% for agencies with between 200 and 1,000 staff, compared to 6.4% for agencies with fewer than 20 staff).
- 39.4% provided training/information for panel members (6.4% for agencies with fewer than 20 staff, compared to 73% for agencies with more than 1,000 staff).

- 7.9% outlined these courses of action in duty statements and job descriptions.
- 62.2% promoted these courses of action through the agency's intranet, (78.1% for agencies with between 200 and 1,000 staff).
- 5.5% held formal presentations on breach rights regularly to all staff.

B5: How agencies monitor compliance with the Human Resource Management Standards?



Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “How do you monitor your compliance with the Human Resource Management Standards (For example: Recruitment, Selection and Appointment; Acting, Grievance Resolution and Performance Management Standards)?” agencies responded as follows.

- 61.4% audited their human resource management policies and checklists to ensure consistency with the Standards (35.5% for agencies with fewer than 20 staff).
- 57.5% conducted internal reviews and audits of transactions/processes conducted under the Standards (75% for agencies with between 200 and 1,000 staff).
- 31.5% conducted external reviews and audits of transactions/processes conducted under the Standards (22.6% for agencies with fewer than 20 staff).

- 7.9% took staff feedback through formal surveys following recruitment processes (no agencies with fewer than 20 staff carried this out, compared to 15.6% of the agencies with between 200 and 1,000 staff).
- 44.9% took staff feedback through performance management (52.6% for agencies with between 20 and 200 staff, compared to 34.4% for agencies with between 200 and 1,000 staff).
- 54.3% took staff feedback during exit interviews/survey processes (73.1% for agencies with more than 1,000 staff).
- 76.4% of agencies overall recorded the number and nature of breach claims lodged (54.8% for agencies with fewer than 20 staff, compared to 84.6% for agencies with between 200 and 1,000 staff).
- 34.6% analysed substantiated breach claims and the agency's action resulting from them (3.2% for agencies with fewer than 20 staff, compared to 61.5% for agencies with more than 1,000 staff).

Section C - Public sector standards: Misconduct

Reporting of misconduct is a government requirement outlined in the Annual Report Framework issued by the Department of Premier and Cabinet, Public Sector Management Division. Agencies are also required to report on the measures they are taking to reduce the risk of misconduct. Section C of the Annual Agency Survey was developed to assist agencies with the reporting of misconduct and breaches of discipline.

In accordance with s.80 of the PSM Act, where an employee disregards a lawful order, contravenes the PSM Act or the Code of Ethics or a public sector standard, commits misconduct, is negligent or careless in performance of functions, or commits an act of victimisation in connection with the PID Act, then they are deemed to have committed a breach of discipline.

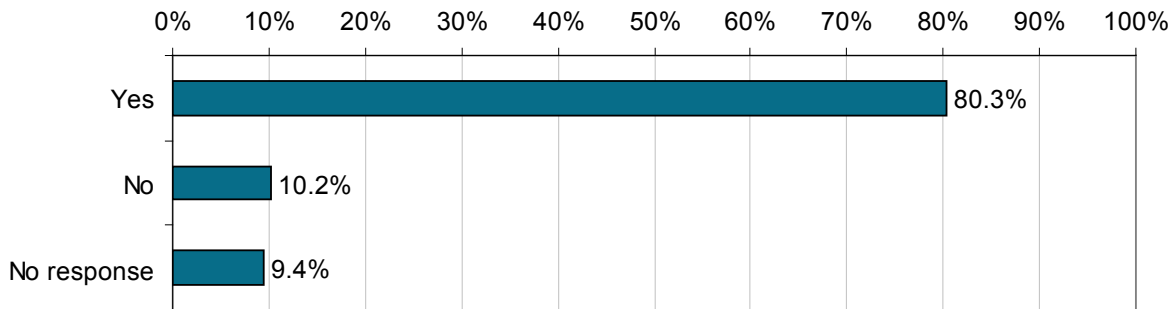
CEOs should address this through Division 3 of the PSM Act.

- 0.44% of public sector employees (687), or one in every 226, were subject to disciplinary processes during the year.
- 323 disciplinary processes were completed during the year (some of these cases may have been instigated the previous year).
- 40.9% of completed cases (132), or one in every 2.4 cases, was subject to a negative finding.

OPSSC believes that these data under report disciplinary processes and will pursue this matter in 2008-09.

Section E - Public sector standards: Performance management

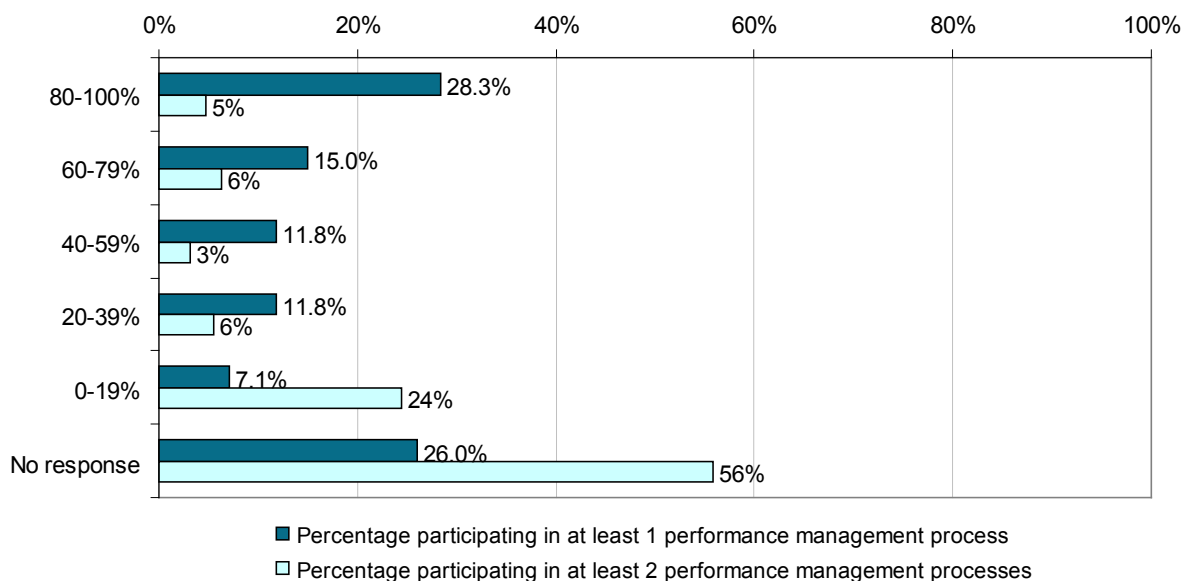
E1: Agencies who currently have an operational performance management system or systems covering permanent employees and contracted employees with contracts greater than 12 months



In response to the question “Does your agency have an operational performance management system or systems covering permanent employees and contracted employees with contracts greater than 12 months?” approximately 80% of agencies had a system in place.

Despite a high proportion of agencies having performance management systems in place, there seems to be a general lack of commitment within agencies with respect to fully implementing and following through with the performance management process.

E2: The extent to which agencies have implemented performance management systems

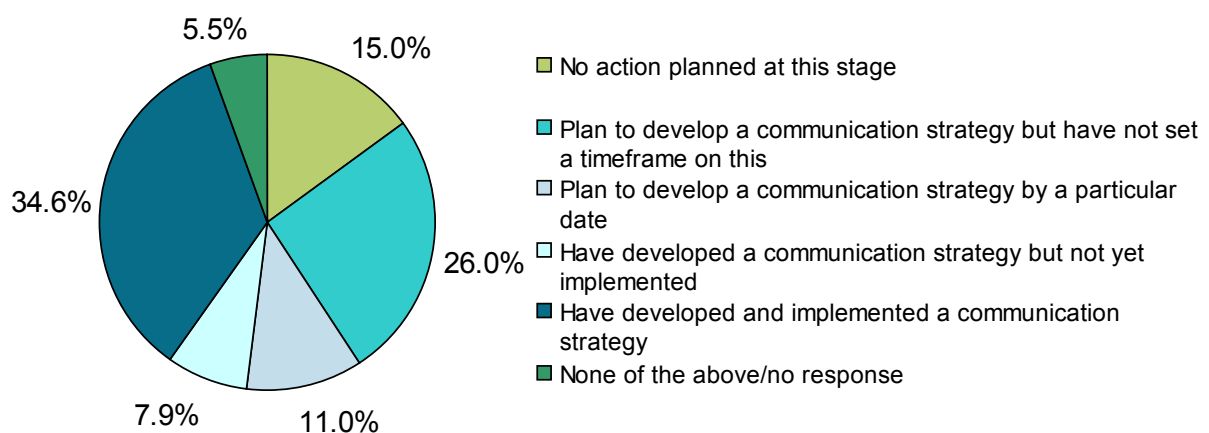


Fewer than 30% of agencies indicated that they had conducted at least one performance management process with 80 to 100% of staff. As few as 5% had completed two processes with 80 to 100% of staff.

Responses to this question were also analysed based on agency size. Thirty-six percent (36%) of agencies with 200 or less staff had conducted at least one performance management process with 80 to 100% of staff, compared to 19% for agencies with more than 200 staff.

Section F - Public sector Code of Ethics and agency codes of conduct

F1: Organisations who have developed or planned to develop a communication strategy for the new Code of Ethics and their Code of Conduct



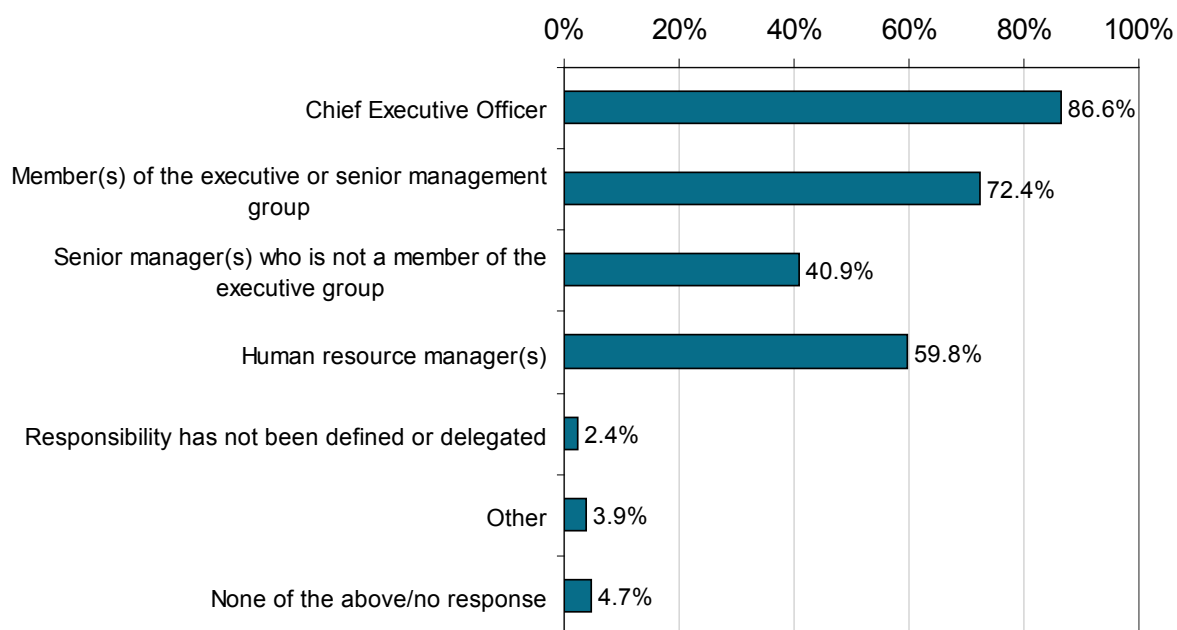
In response to the question "The Public Sector Standards Commissioner has issued a new Code of Ethics from 1 February 2008 for the Western Australian Public Sector. Has your organisation developed or planned to develop a communication strategy for the new Code of Ethics and your agency's code of conduct?" agencies responded as follows.

- 42.5% of all agencies have already developed, or developed and implemented a communication strategy within their agency.
- 37% plan to develop a communication strategy.
- 20.5% of agencies have nothing planned.

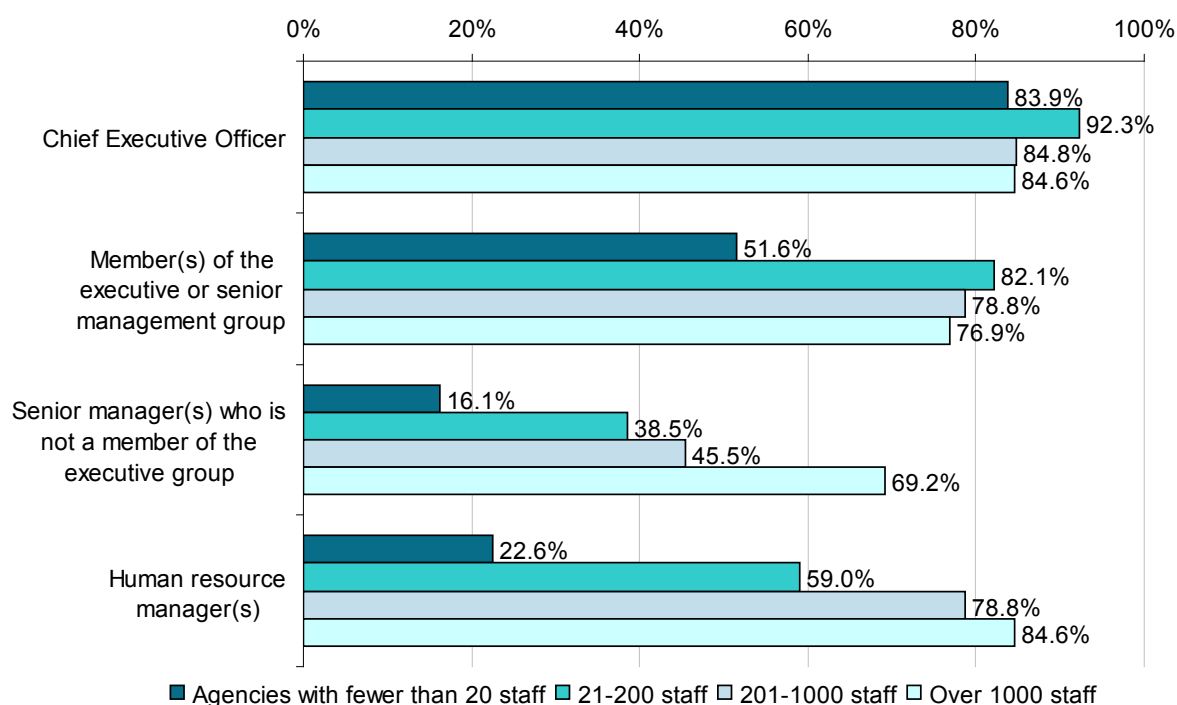
When responses to this question were analysed by agency size, it was clear that smaller agencies had less capacity to review internal policy. The question responses were assessed based on those agencies that had no action planned or had not set a timeframe for developing a plan. Percentage of agencies falling into this category by agency size were as follows.

- 61.3% of agencies with fewer than 20 staff.
- 50% of agencies with between 20 and 200 staff.
- 40.6% of agencies with between 201 and 1,000 staff.
- 30.7% of agencies with more than 1,000 staff.

F2i: Within your organisation, who leads and champions efforts to apply the public sector Code of Ethics and the agency's code of conduct?



F2ii: Within your organisation, who leads and champions efforts to apply the public sector Code of Ethics and the agency's code of conduct? Results by agency size

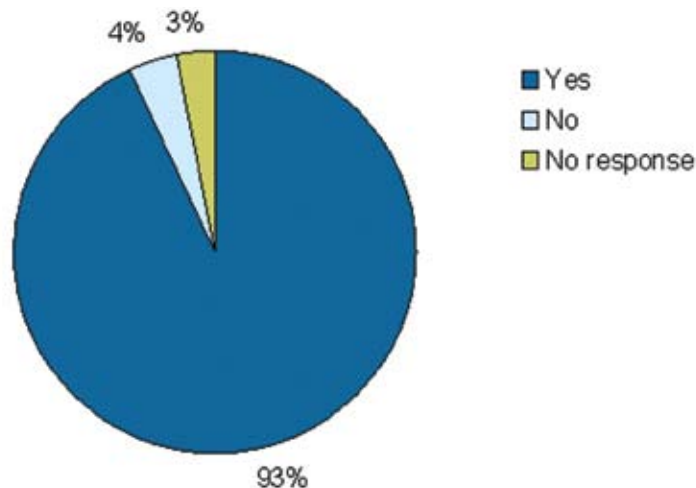


Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “Within your organisation, who leads and champions efforts to apply the public sector Code of Ethics and your Agency’s code of conduct?” agencies responded as follows.

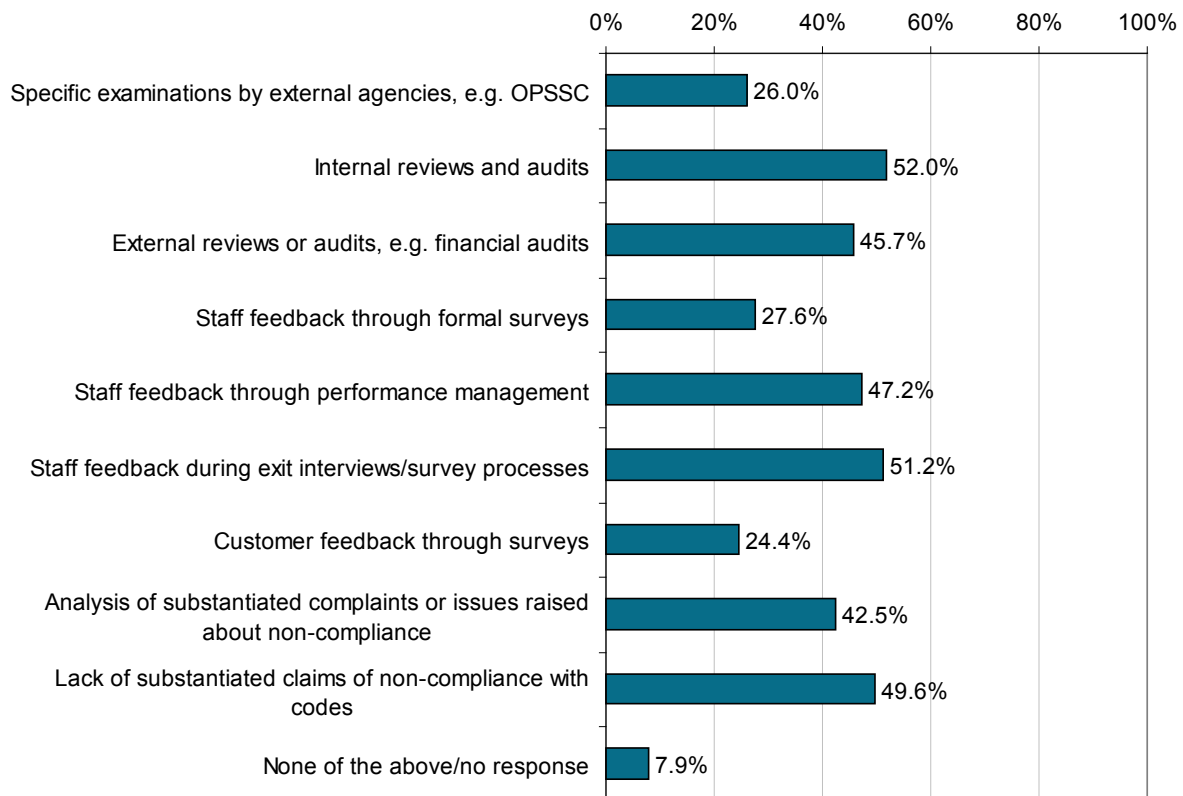
- 86.6% of respondents (the CEO) nominated themselves.
- 72.4% nominated members of the executive or senior management group (51.6% for agencies with fewer than 20 staff).
- 40.9% nominated senior managers not within the executive group (only 16.1% for agencies with fewer than 20 staff, compared to 69.2% of the agencies with more than 1,000 staff).
- 59.8% nominated the human resources managers (22.6% for agencies with fewer than 20 staff, compared to 84.6% for agencies with more than 1,000 staff).

F3: Agencies, departments and regions with a code of conduct



Almost all agencies responded “yes” (93%) to the question “Does your agency/department/region have a code of conduct?” For the seven agencies that did not, three were Schedule 1 agencies not covered by the PSM Act, two were agencies with fewer than five employees.

F6: How does your agency assess your compliance with the public sector Code of Ethics and agency code of conduct?



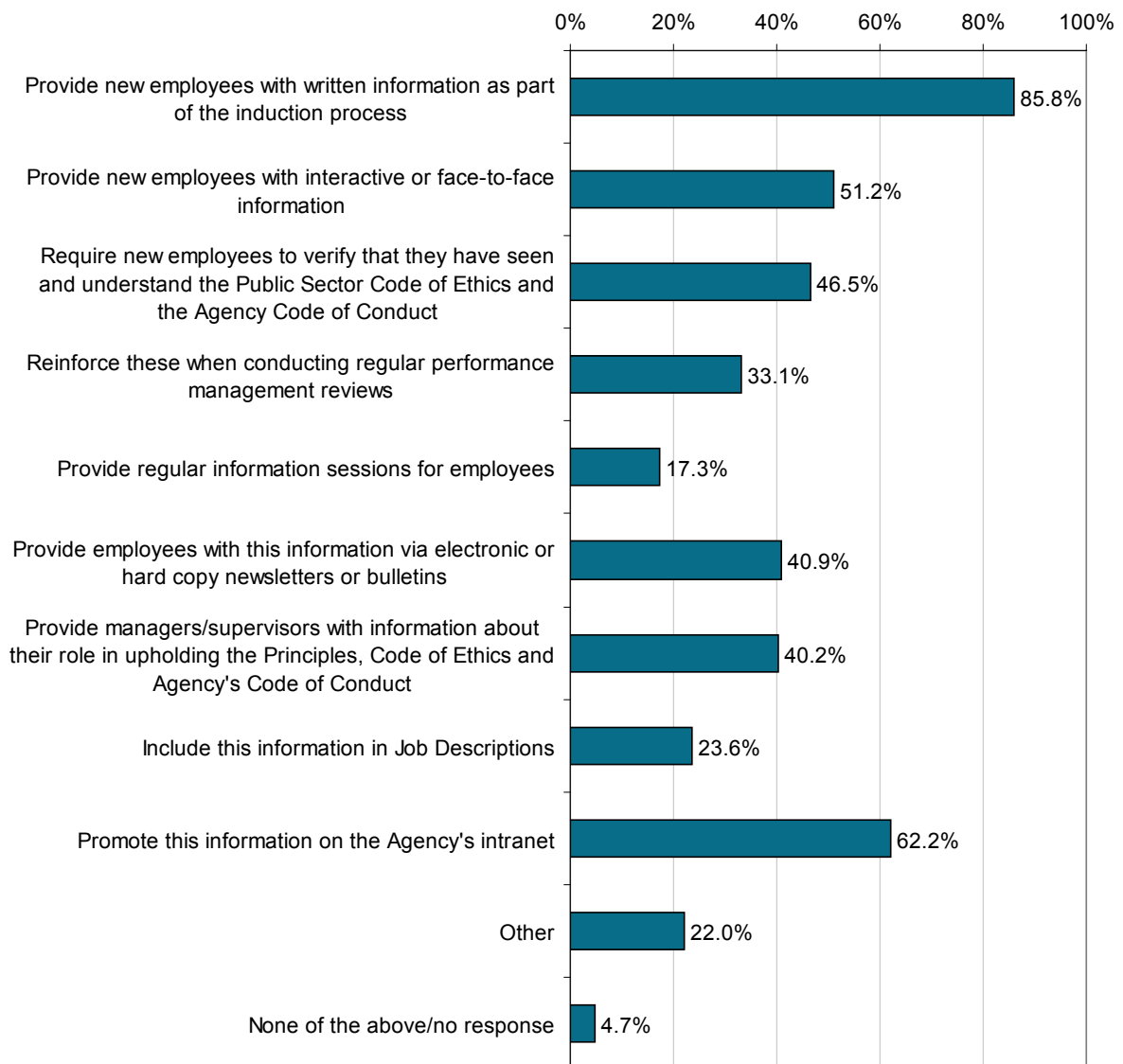
Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “How do you assess your compliance with public sector Code of Ethics and agency code of conduct, and what does your agency undertake?” agencies responded as follows.

- 26% have specific examinations by external agencies (42.3% for agencies with over 1,000 staff, compared to 13.2% for those with between 20 and 200 staff).
- 52% have internal reviews and audits (38.7% for agencies with fewer than 20 staff).
- 45.7% of agencies have external reviews or audits (for example, financial audits).
- 27.6% of agencies collect staff feedback through formal surveys (no agencies with fewer than 20 staff did so, compared to 43.8% for agencies with between 200 and 1,000 staff, rising to 50% of the agencies with more than 1,000 staff).
- 47.2% of agencies collect staff feedback through performance management.
- 51.2% collect staff feedback during exit interviews/survey processes (19.4% for agencies with fewer than 20 staff).

- 24.4% of agencies collect customer feedback through surveys.
- 42.5% analyse substantiated complaints or issues raised about non-compliance (12.9% for agencies with fewer than 20 staff, compared to 62.5% for agencies with between 200 and 1,000 staff, and 65.4% of agencies with more than 1,000 staff).
- 49.6% of agencies have a lack of substantiated claims of non-compliance with codes.

F3: Measures agencies have in place to ensure that all employees are familiar with the public sector Code of Ethics and their code of conduct

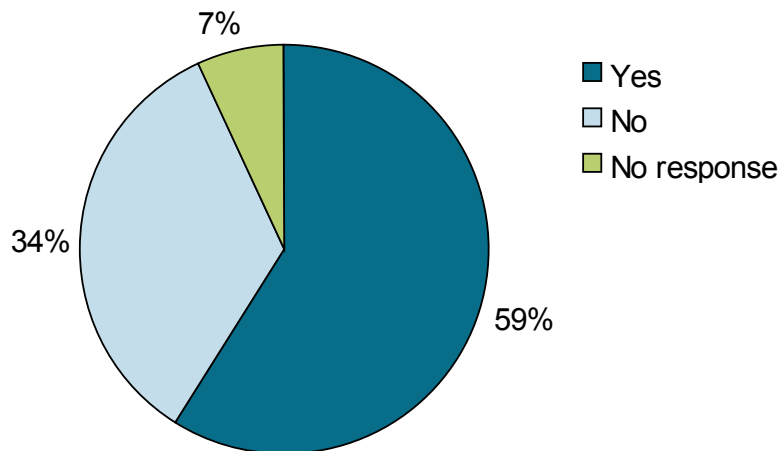


Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “What measures do you have in place to ensure that all employees are familiar with the public sector Code of Ethics and your agency’s code of conduct?” agencies responded as follows.

- 85.8% of agencies provide new employees with written information as part of the induction process (71% for agencies with fewer than 20 staff, compared to 97.4% for agencies with between 20 and 200 staff).
- 51.2% provide new employees with interactive or face-to-face information (35.5% for agencies with fewer than 20 staff, compared to 76.9% for agencies with more than 1,000 staff).
- 46.5% require new employees to verify that they have seen and have understood the public sector Code of Ethics and the agency code of conduct (29% for agencies with fewer than 20 staff taking this step, compared to 61.5% of those with more than 1,000 staff).
- 33.1% reinforce these when conducting regular performance management reviews.
- 17.3% provide regular information sessions for employees (9.4% for agencies with between 200 and 1,000 staff, compared to 26.9% of those with more than 1,000 staff).
- 40.9% provide employees with this information via electronic or hard copy newsletters or bulletins (61.5% for agencies with more than 1,000 staff).
- 40.2% provide managers/supervisors with information about their role in upholding the principles, Code of Ethics and agency code of conduct (29% for agencies with fewer than 20 staff, compared to 53.8% of agencies with more than 1,000 staff).
- 23.6% include this information in job descriptions (6.4% for agencies with fewer than 20 staff, compared to 46.1% of agencies with more than 1,000 staff).
- 62.2% promote this information on their intranet site (25.8% for agencies with fewer than 20 staff and 76.9% for agencies with between 200 and 1,000 staff).

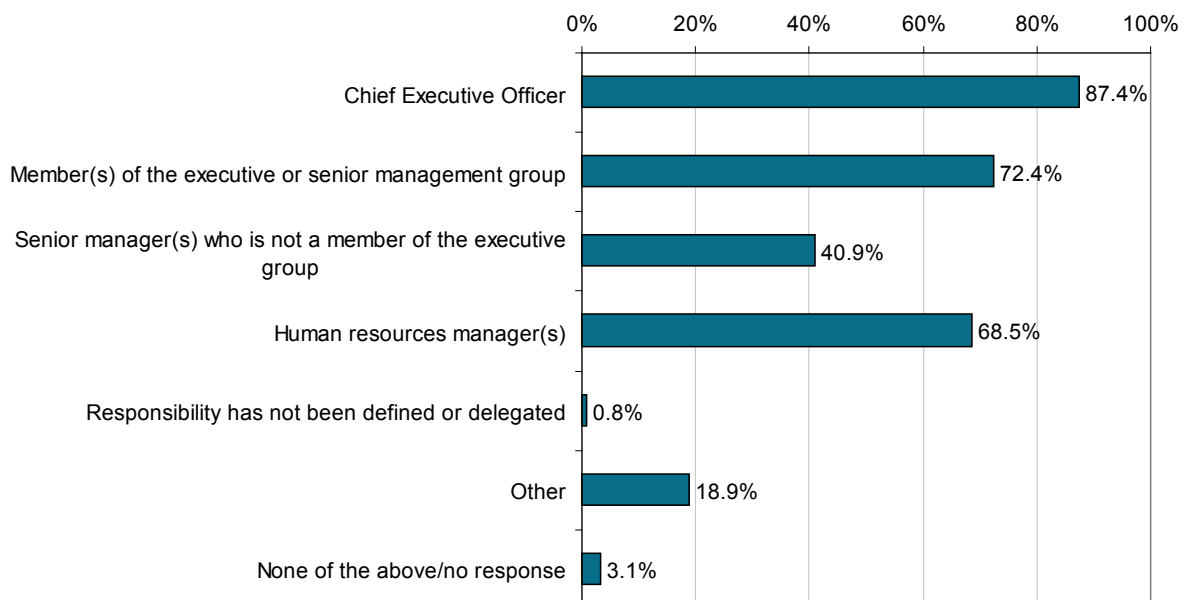
F8: Do agencies provide managers/supervisors and employees with information and/or training sessions about potential ethical conduct problems which may arise in the workplace?



In response to the question “Does your Agency provide managers/supervisors and employees with information and/or training sessions about potential ethical conduct problems which may arise in the workplace?” 59% responded “yes”, while 34% responded “no”.

Sections G and H – Equal employment opportunity and workplace flexibility

G1: Who leads and champions efforts within organisations to apply Part IX of the Equal Opportunity Act 1984?

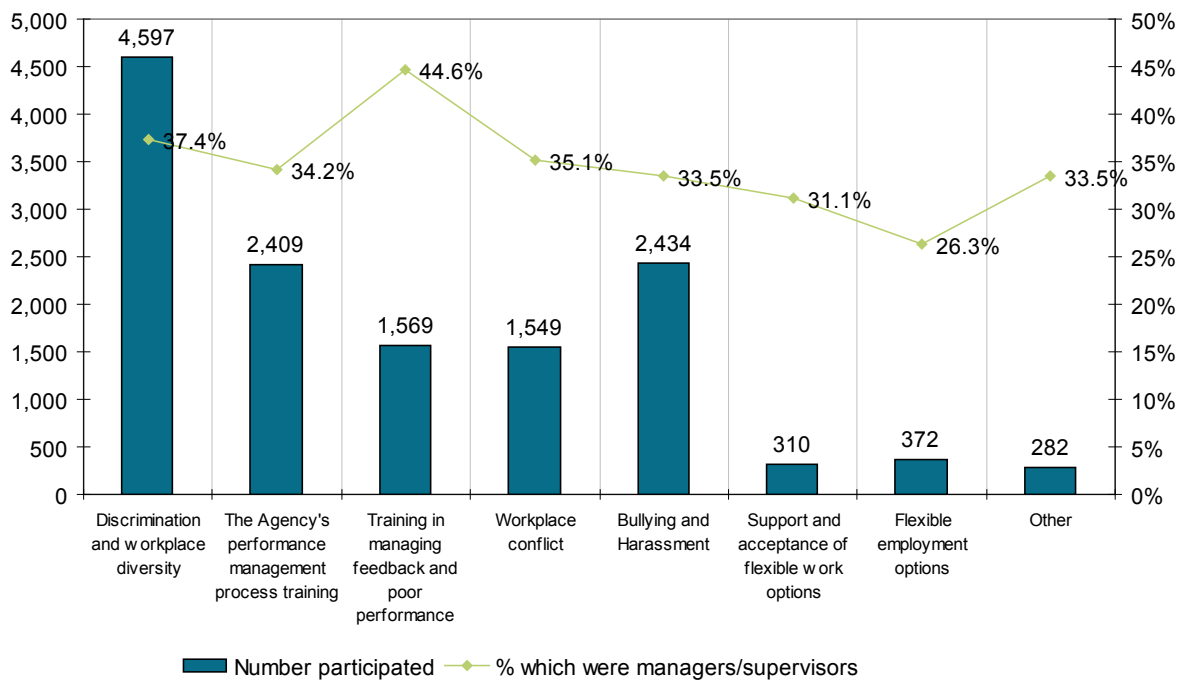


Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “Within your organisation, who leads and champions efforts to apply Part IX of the *Equal Opportunity Act 1984*?” agencies responded as follows.

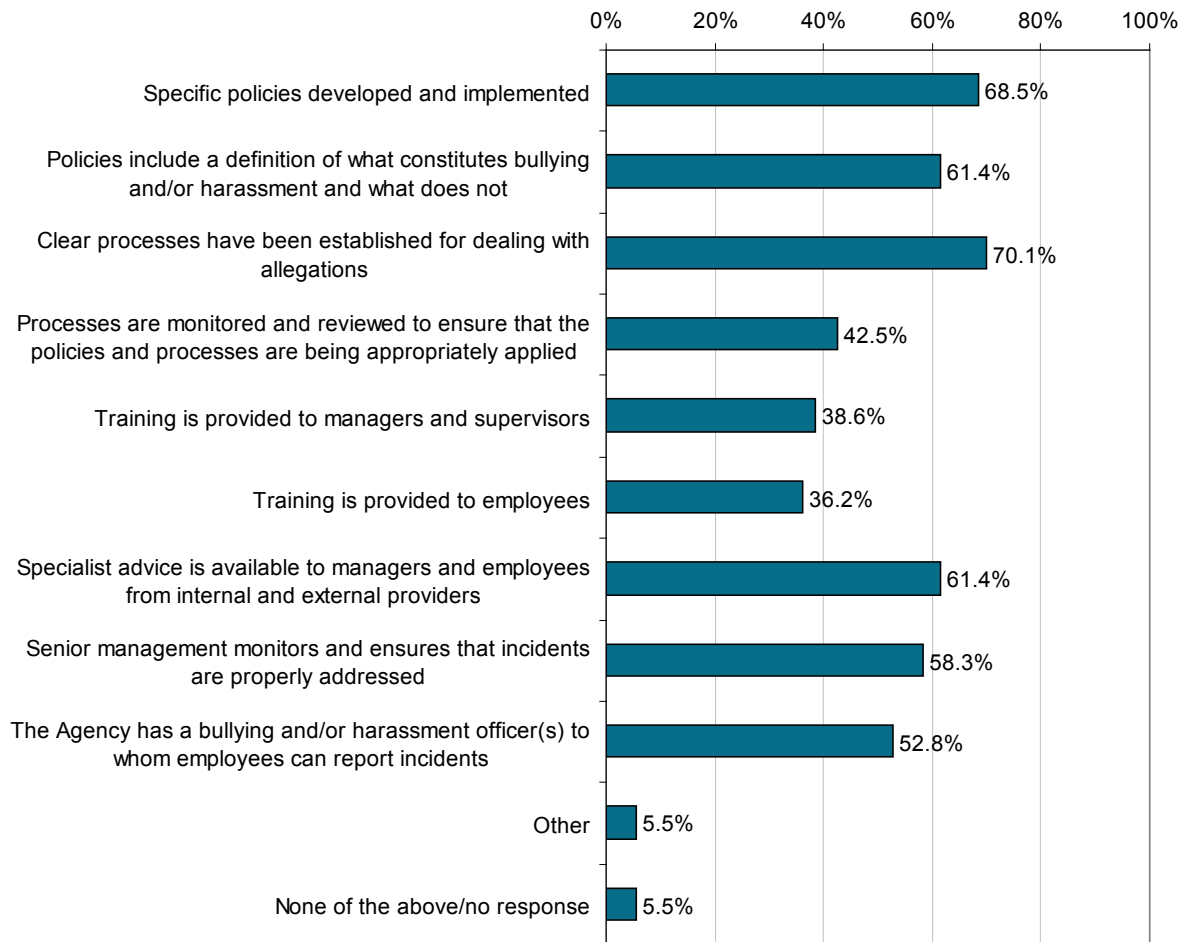
- 87.4% of agencies believed it was the responsibility of the CEO.
- 72.4% of agencies believed it was also the responsibility of members of the executive or senior manager group.
- 68.5% of agencies also believed it was also the responsibility of human resource managers (29% for agencies with fewer than 20 staff, compared to 92.3% for agencies with more than 1,000 staff).
- 40.9% indicated that it was also the responsibility of other senior managers who are not members of the executive or senior manager group (19.4% for agencies with fewer than 20 staff, compared to 73.1% for agencies with more than 1,000 staff).

G9: Areas in which workplace training was undertaken, numbers that participated, and the overall percentage of managers/supervisors who attended



Overall, 13,600 public sector employees participated in workplace training dealing with issues ranging from discrimination and workplace diversity to flexible employment options. Approximately 40% of these employees were managers or supervisors. The figure above depicts the areas in which workplace training was undertaken, numbers that participated, and the overall percentage of managers/supervisors who attended for 2007-08.

G10: How agencies work towards minimising the risk of bullying and/or harassment in the workplace



Note: Surveyed public authorities were able to choose multiple options for this question.

In response to the question “How does your agency work towards minimising the risk of bullying and/or harassment in the workplace?” agencies responded as follows.

- 70.1% of agencies have clear processes established for dealing with allegations. This figure fell to 29% for agencies with fewer than 20 staff and was above 80% for agencies with more than 20 staff.
- 68.5% have specific policies developed and implemented. This figure fell to 32.3% for agencies with fewer than 20 staff and was above 78% for agencies with more than 20 staff.
- Overall, agencies with fewer than 20 staff scored approximately 30 percentage points lower than agencies of larger size groups for all response options to this question.

Section H – Promoting a flexible workplace

During the reporting period, agencies and authorities reported approximately 9,819 new permanent appointments and 7,667 new fixed term appointments. Of these new appointments, approximately 58% (10,244 appointments) were provided with flexible working arrangements. Due to data limitations, not all agencies are included in this section. Of the 10,244 new appointments provided with flexible working arrangements, the following conditions applied.

- 0.8% - working from home arrangements.
- 32.7% - part-time arrangements.
- 55.6% - flexible start and finish times.
- 10.9% - purchased leave arrangements.

Similarly, during the reporting period 9,589 existing appointments were provided with flexible working arrangements.

- 1.9% - working from home arrangements.
- 15.9% - part-time arrangements.
- 64.0% - flexible start and finish times.
- 18.3% - purchased leave arrangements.

H3, H4 and H5: Areas in which workplace training was undertaken, numbers that participated, and the overall percentage of managers/supervisors who attended

	New appointments provided with flexible working arrangements		Existing appointments adjusted to provide flexible working arrangements	
	Permanent	Fixed-term	Permanent	Fixed-term
Working from home	58	27	159	19
Working part-time	1,729	1,618	1,231	290
Flexible start and finish times	2,517	3,181	4,220	1,919
Purchased leave arrangements	744	370	1,527	224
Total new appointments	5048	5,196	7,137	2,452

Employee Perceptions Survey (Public Sector Standards in Human Resource Management, ethics and equal employment opportunity)

Each year, OPSSC endeavours to survey between 15 and 20 public authorities through the Employee Perceptions Survey (each public authority is surveyed approximately once every five years). The Employee Perceptions Survey assesses employee perceptions of human resource management, ethics, diversity and public interest disclosure issues. To ensure a representative sample of public sector agencies is surveyed each year, agencies are selected from each of the main government sectors (education, health, and other agencies).

During 2007-08, 20,375 employee perceptions surveys were distributed to 13 public authorities (as either online surveys or in hard copy format) and 6,655 completed surveys (32.7%) were returned completed.

Of the 20,375 surveys distributed to public sector agencies, 3,923 were in hard copy format and 16,446 were distributed electronically using an online survey. The online system yielded a higher response rate (33.6%) compared to the hard copy format (28.8%).

Appendix 7 provides a detailed breakdown of public sector agencies surveyed by survey type and their respective response rates.

Employee Perceptions Survey: Key findings

Responses are reported in two parts –

- General questions: refer to those issues highlighted in the section entitled “Main issues arising from breach claims”, and
- Questions that are part of the Inter-jurisdictional Benchmarking project coordinated by the Australian Public Service (APS) Commission. Full results of the OPSSC Employee Perceptions Survey program are available in Appendix 6 – page 89.

Employee perceptions: General

Awareness of public sector standards and breach rights

Employee Perceptions Survey results indicate that a very high proportion of employees are aware of the public sector standards (average awareness for all Standards = 76%) (refer to Appendix 6). The low awareness levels about courses of action available if a breach of standard occurred (28%) are consistent with information on lack of communication about breach rights in some agencies (although 36% of respondents indicated that they knew where to find relevant information should it be required). This result is supported by information from employee contacts with OPSSC and from employees making breach of standard claims and compliance inquiries. The need exists for agencies to continue to provide better information to employees about breaches of public sector standards, particularly with respect to recruitment, selection and appointment issues.

Performance of selection panels

Just over half (52%) of all respondents to the Employee Perceptions Survey felt that selection panels in their workplace selected candidates on the basis of merit and that the recruitment and selection processes in their workplaces were unbiased.

Bias and favouritism in job selection

Approximately 39% of survey respondents felt that favouritism played a part in the selection of people for relieving or acting opportunities.

Employee perceptions regarding fairness of transfer and secondment decisions were similar to previous years with 31% and 34% respectively agreeing that they were decided upon fairly.

Approximately one quarter of respondents either did not know or chose not to answer these two questions. This may be due to a number of respondents not being subject to transfers and therefore being unable to comment.

Action by aggrieved employees

The percentage of respondents who felt aggrieved by a human resource management decision in 2007-08 but did not take action was 20%. The percentage who felt aggrieved and took action was 8%. Agencies need to ensure that their internal systems provide effective responses to grievances and breach claims and provide protection from adverse effects.

Codes of ethics and conduct

Occurrence and reporting of unethical behaviour

The Employee Perceptions Survey asks questions about an employee's willingness to take action to report wrongdoing. In 2007-08, 20% of respondents indicated they had reported the occurrence of unethical behaviour in their agency. While the willingness to report unethical behaviour is encouraging, 20% of respondents reported that they observed unethical behaviour which they did not report. Agencies may wish to investigate the underlying reasons for not reporting such behaviour.

The percentage of respondents who indicated that they would feel protected from victimisation and harassment should they report unethical behaviour was 35% in 2007-08. There remains a significant number of employees who report that they would be victimised or harassed if they reported unethical behaviour. It may be that a lack of awareness of reporting processes and ways in which compliance can be achieved is a major contributor to this lack of confidence. As has been the case in previous years, this issue may be related to awareness of, and confidence in, the PID Act and associated processes.

OPSSC will continue to raise these issues with agencies, and encourage a greater focus on providing employees with information about their rights and protections.

Employee perceptions: inter-jurisdictional comparisons

Where possible, this section includes comparisons with other jurisdictions, as published in the APS State of the Service Reports*.

Communication

Approximately 70% of WA public sector employees agreed that their input is adequately sought and considered about decisions that directly affect them. Other jurisdictions were Tasmania 57%, the APS 52%, Victoria 55% and South Australia 55%.

Recruitment and selection processes

Employees were asked about their perceptions of the fairness of recruitment and promotion decisions. For the WA public sector 51% of employees agreed that recruitment and promotion decisions were fair, and 31% felt that recruitment and promotion decision were not fair. Percentage agreement with this statement for other jurisdictions were Tasmania 46%, the APS 41%, Victoria 45% and South Australia 34%.

Embedding values, codes of conduct and leadership

In 2007-08, 81% of Western Australian public sector employees agreed that their agency actively encouraged ethical behaviour by all of its employees. Results for other jurisdictions were Tasmania 83%, the APS 84%, Victoria 70% and South Australia 81%.

When asked whether senior managers in their agency led by example in ethical behaviour, 70% of public sector employees agreed with the statement. Results for other jurisdictions were Tasmania 58%, the APS 57%, Victoria 47% and South Australia 61%.

Finally, for Western Australia 69% of employees agreed that their immediate supervisor is effective in managing people. Results for other jurisdictions were Tasmania 56%, the APS 66%, Victoria 60% and South Australia 58%.

* The jurisdictional comparison data for Victoria is from surveys conducted in 2005-06, and the data for South Australia is from surveys conducted in 2006-07, as quoted in the Australian Public Service Commission 2005-06 and 2006-07 State of the Service Reports respectively.

The jurisdictional comparison data for Western Australia, Tasmania and APS is from surveys conducted in 2007-08, as quoted in the *2007-08 State of the Service Report*, Australian Public Service Commission.

Note: For Western Australia, Tasmania and APS, percentages were calculated excluding the 'not stated', 'don't know or doesn't apply' and 'not applicable' response categories. Therefore for Western Australia, there will be differences between percentage responses quoted in this section of the report compared to percentages in the tables in Appendix 6.

Confidence in grievance processes

The Employee Perceptions Survey includes questions that relate to employee confidence in grievance resolution processes and their willingness to take action if they are aggrieved about a job selection decision. Survey results in 2007-08 indicate that 43% of respondents have confidence in the processes that their agency uses to resolve employee grievances. These results are lower than those for Tasmania 46%, however are higher than the APS 42%, Victoria 41%, and South Australia 36%.

Equity and diversity

The proportion of WA public sector employees agreeing that their agency is committed to creating a diverse workforce (81%) is higher than Tasmania (62%), the APS (68%), Victoria (61%) and South Australia (59%).

Western Australian public sector employees also compared favourably on the question asking whether their workplace culture supports people to achieve a good work-life balance with 69% agreeing with the statement, and only 19% felt that their workplace culture did not support people to achieve a good work-life balance. Results for other jurisdictions were Tasmania 59%, the APS 66%, Victoria 50% and South Australia 55%.

Bullying and harassment

One in five WA public sector employees (24%) indicated that they had been subjected to bullying or harassment in their workplace in 2007-08. Results for other jurisdictions were Tasmania 28%, the APS 19%, Victoria 21% and South Australia 22%.

COMPLIANCE SECTION 2: PUBLIC INTEREST DISCLOSURE ACT 2003

The role of the Commissioner

Purpose of this report

Under s.22(1) of the PID Act (refer to Appendix 4), the Commissioner is to report annually to Parliament on:

- the performance of the Commissioner's obligations under the PID Act;
- compliance or non-compliance with the PID Act; and
- compliance or non-compliance with the PID Code.

The role of the Commissioner under the PID Act is to:

- establish a Code setting out the minimum standards of conduct and integrity to be complied with by proper authorities;
- prepare Guidelines on internal procedures relating to the functions of a proper authority under the PID Act;
- ensure that all public authorities have copies of the PID Guidelines;
- monitor compliance with the PID Act and Code; and
- assist public authorities and public officers to comply with the PID Act, and the PID Code.

The Commissioner is also the proper authority (refer to page 52) for receiving disclosures of public interest information that relate to a public officer (other than a member of Parliament, a Minister of the Crown, a judicial officer, or an officer referred to in Schedule 1 of the *Parliamentary Commissioner Act 1971*).

Commissioner's obligations

PID Code and Guidelines

The PID Code commenced on 1 July 2003 and is to be complied with by any person to whom a public interest disclosure is made. No changes were made to the Code during the reporting period.

The Guidelines on internal procedures relating to the functions of a proper authority under the PID Act commenced on 1 July 2003. No changes were made to the Guidelines during the reporting period. Hard copies of the Guidelines have previously been provided to public authorities, and an electronic version is available on the OPSSC website.

The PID Act is currently being reviewed and the Code and Guidelines may need to be reviewed in due course.

Monitoring activities

Why we monitor

The Commissioner's role to monitor compliance with the PID Act and Code is required to achieve the key public policy objectives of building confidence in the processes under the Act, and in promoting integrity, openness and accountability in public authorities. Independent monitoring and reporting by the Commissioner helps to build and maintain trust by enabling Parliament and the public to examine compliance by public authorities with the PID Act and Code.

Who we monitor

The Commissioner's role to monitor and report on compliance under the PID Act applies to public authorities as defined in the PID Act. The Commissioner sought formal responses from 344 public sector agencies, state government boards and committees who had previously advised of coverage by the PID Act, as well as all local government authorities and public universities (see Appendix 2 – page 68). OPSSC has taken a phased approach to monitoring boards and committees. This year, they were asked to self-report on the extent of compliance with the PID Act and Code.

What we monitor

Under the PID Act, there are a number of obligations that apply to the principal executive officer of a public authority, and to proper authorities in dealing with disclosures.

The principal executive officer of a public authority is required to:

- designate a specified position within the authority to receive disclosures of public interest information;
- provide any employee who has made an appropriate disclosure with protection from detrimental action or the threat of detrimental action;
- ensure the public authority complies with the PID Act and Code;
- prepare and publish internal procedures relating to the authority's obligations under the PID Act; and
- provide information annually to the Commissioner on:
 - the number of public interest disclosures received; and
 - the results of any investigations conducted, and any action taken.

Disclosures must be made to a proper authority (referred to as a PID officer). Proper authorities are required to:

- receive disclosures of public interest information;
- comply with the PID Code;
- investigate appropriate disclosures of public interest information, or cause such matters to be investigated, except in certain circumstances;
- not reveal identifying information about the discloser or the subject of the disclosure, unless in accordance with s.16 of the PID Act;
- notify a discloser within three months of the disclosure being made of what action has been or is proposed to be taken in relation to the disclosure;
- take action where the opinion is formed that a person may be, may have been, or may in the future be involved in improper conduct, to either prevent the matter from occurring in the future, refer the matter to a body having power to investigate a matter, or take disciplinary action or enable such disciplinary proceedings against the person responsible for the matter; and
- provide a final report to a discloser stating the outcome of the investigation and any action taken or proposed to be taken, and the reasons for doing so.

Certain exceptions apply to the CCC and the Ombudsman with respect to some of these obligations.

How we monitor

The Commissioner uses a range of strategies to monitor compliance. These strategies are used both individually and in combination to enable an assessment as to the extent of compliance or non-compliance.

The following information was sought by the Commissioner to monitor compliance with the PID Act for each authority in 2007-08:

- the designation of a PID officer;
- the preparation and publication of internal public interest disclosure procedures by each agency;
- the number of public interest disclosures received over the reporting period;
- the results of any investigations conducted as a result of the disclosures;
- the action, if any, taken as a result of each investigation;
- allegations of non-compliance with the PID Act and Code;

- monitoring of inquiries to the Commissioner;
- monitoring reports to the Commissioner on public interest disclosures received and action taken;
- information obtained through the Annual Agency Survey (refer to Section 1); and
- information obtained through the OPSSC Employee Perceptions Survey.

Public interest disclosures received

A public interest disclosure must be made to a proper authority. A proper authority may be the PID officer within a public authority whose position has been designated by the principal executive officer to receive disclosures about matters falling within that authority's sphere of responsibility under s.5(3)(h).

A proper authority may also be a particular authority specified in s.5(3)(a to g) of the PID Act to receive disclosures about particular types of information. These proper authorities are as follows.

Information relates to:	Proper authority
An act or omission that constitutes an offence under a written law	A police officer, or the CCC
A substantial unauthorised or irregular use of, or substantial mismanagement of public resources	Auditor General
A matter of administration that can be investigated under s.14 of the <i>Parliamentary Commissioner Act 1971</i>	The State Ombudsman
A police officer	Commissioner of Police or the CCC
A judicial officer	The Chief Justice
A member of either House of Parliament	The Presiding Officer of the House of Parliament to which the member belongs
A public officer (other than a member of Parliament, a Minister of the Crown, a judicial officer or an officer referred to in Schedule 1 to the <i>Parliamentary Commissioner Act 1971</i>)	The Commissioner for Public Sector Standards or the State Ombudsman

For the purposes of this section of the report, a distinction is made between disclosures received by a PID officer in a public authority under s.5(3)(h) (referred to as “Public authorities specified in s.5(3)(h)”) and disclosures made to an authority named specifically in s.5(3)(a to g) to receive particular types of disclosures. The Chief Justice and the Presiding Officers are not required to report to the Commissioner. Therefore, the authorities named in s.5(3)(a to g) comprise the CCC, the Auditor General, the State Ombudsman, WA Police, and the Commissioner for Public Sector Standards.

These authorities can also receive disclosures about matters falling within their sphere of responsibility under s.5(3)(h), and PID officers have been designated under s.23(1)(a) to receive disclosures of this nature. For the purposes of this report, disclosures to these authorities about these types of matters have been included in the “Public authorities specified in section 5(3)(h)” data.

Number of public interest disclosures received

In 2007-08, four people raised 52 matters of public interest.

The number of matters that were raised but did not constitute “public interest information” increased from 10 matters in 2006-07 to 32 in 2007-08. In 2007-08, 20 matters were considered to constitute “public interest information”.

It should be noted that the 32 matters raised that did not constitute public interest information were originally assessed as public interest disclosures. However, further assessment indicated that the matters were not within the sphere of responsibility of the agency concerned and therefore not an appropriate disclosure made to a proper authority.

Additionally, there are significant concerns regarding the accuracy of a data set from one agency. OPSSC will investigate this matter further.

The following table lists the number of people who lodged public interest disclosures with proper authorities.

Type of authority	2004-05	2005-06	2006-07	2007-08
Public authorities specified in s.5(3)(h)	15	3	13	2
Authorities specified in s.5(3)(a to g)	8	7	1	2

Relationship with public authority

The following table indicates the source of the public interest disclosures made by individuals in the 2007-08 year.

Status	2004-05		2005-06		2006-07		2007-08	
	Public Authorities 5(3)(h)	Authorities specified in s 5(3)(a to g)	Public Authorities 5(3)(h)	Authorities specified in s 5(3)(a to g)	Public Authorities 5(3)(h)	Authorities specified in s 5(3)(a to g)	Public Authorities 5(3)(h)	Authorities specified in s 5(3)(a to g)
Member of public	0	0	1	1	3	3	1	1
Past employee of authority subject to PID	5	5	0	0	0	1	0	1
Current employee of authority subject to PID	4	4	0	2	2	3	1	0
Other	1	1	14	0	2	1	0	0
Total	16	10	15	3	7	8	2	2

Note: Other could include anonymous informants, prisoners, elected representatives and contractors.

Type of disclosure

To be covered by the PID Act, a disclosure must concern a matter of “public interest information”. Public interest information is defined in the PID Act to mean information that tends to show that, in relation to its performance of a public function (either before or after the commencement of this Act), a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in:

- improper conduct;
- an act or omission that constitutes an offence under written law;
- a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources;
- an act or omission that involves a substantial and specific risk of -
 - injury to public health;
 - prejudice to public safety; or
 - harm to the environment; or
- a matter of administration that can be investigated under s.14 of the *Parliamentary Commissioner Act 1971*.

A person may make a disclosure about one or more categories of public interest information. This year, most matters concerned improper conduct.

Type of matters	2004-05	2005-06	2006-07	2007-08
Improper conduct	14	7	8	18
Offence under State law	1	1	2	1
Substantial misuse/ mismanagement of public resources	2	2	2	0
Risk of injury to public health; public safety; harm to environment	1	0	2	0
Administrative matter which can be investigated by Ombudsman	5	2	0	1

Note: Some disclosures related to more than one category of wrongdoing.

Results of investigations

Under s.8 of the PID Act, a proper authority must investigate a disclosure or cause the disclosure to be investigated. However, a proper authority may refuse to investigate or may discontinue an investigation in certain circumstances provided in s.8(2) of the PID Act.

The following table indicates, of the disclosures that were accepted as public interest disclosures, the number that were either investigated, not investigated, or are ongoing.

Investigation undertaken	Public authorities specified in s.5(3)(h)	Authorities specified in s.5(3)(a to g)	Total
Yes	12	1	13
No	0	0	0
Not yet commenced	6	1	7
No decision made	0	0	0

Of the matters that were received and investigated in 2007-08, the following table shows the status and outcome of these investigations.

Investigation status	Public authorities specified in s.5(3) (h)	Authorities specified in s.5(3)(a to g)
Ongoing	6	0
Completed and has substance	0	0
Completed and lacks substance	6	0
Discontinued	0	1
Total	12	1

Note: This does not include the matters which were referred to another person, body or organisation for investigation.

Action taken as a result of each investigation

No investigations were completed that had substance.

Annual Agency Survey (PID Act)

The annual PID Compliance Survey questions are contained within the new OPSSC Annual Agency Survey 2007-08 (refer to page 18). The PID questions ask public authorities to report to the Commissioner on:

- who leads and champions efforts to apply and communicate the PID Act;
- which of the Agency's policies, formal guidelines, strategies, procedures or processes support the application of the PID Act;
- the number of matters received under the PID Act (examined in previous section);
- the extent of compliance with the PID Code and Act (examined in previous section);
- the year in which internal procedures were first implemented;
- the year in which internal procedures were last reviewed;
- strategies used to raise awareness about the PID Act and how to make a disclosure;
- how the level of staff awareness around PID is assessed; and
- how they ensure staff would have confidence in lodging a disclosure using the PID Act.

Survey response rate

For 2007-08, 106 public sector agencies and statutory authorities were required to complete and return the Annual Agency Survey section related to PID Act. For the purposes of reporting disclosures under the PID Act, the eight separate surveys for the Department of Health, (one for each of the main Health Service Areas (4), Royal Street, Dental Health, Path West Laboratories and the Health Corporate Network), are counted as one survey. Individual service area results are considered for the broader questions relating to communication and awareness strategies. In addition, 21 Schedule 1 authorities, 142 local government authorities, 4 public universities and 78 boards and committees* were required to provide OPSSC with information relating to the PID Act section of the survey. Refer to Appendix 2 for a list of those agencies who are required to report under the PID Act.

Local government authority results were assessed based on the following categories:

1. authorities with fewer than 25 staff (small);
2. authorities with between 25 and 100 staff (medium); and
3. authorities with more than 100 staff (large).

Of the 351 public sector agencies, authorities and boards or committees requested to complete the Annual Agency Survey Section I - PID Act, the following complied with the requirement:

- 100% of public sector agencies and authorities (n = 127);
- 100% of local government authorities (n = 142);
- 100% of public universities (n = 4); and
- 70.5 % of boards and committees (n = 78).

* Due to the number and composition of boards and committees, survey returns from boards and committees are not included in related OPSSC key performance indicators.

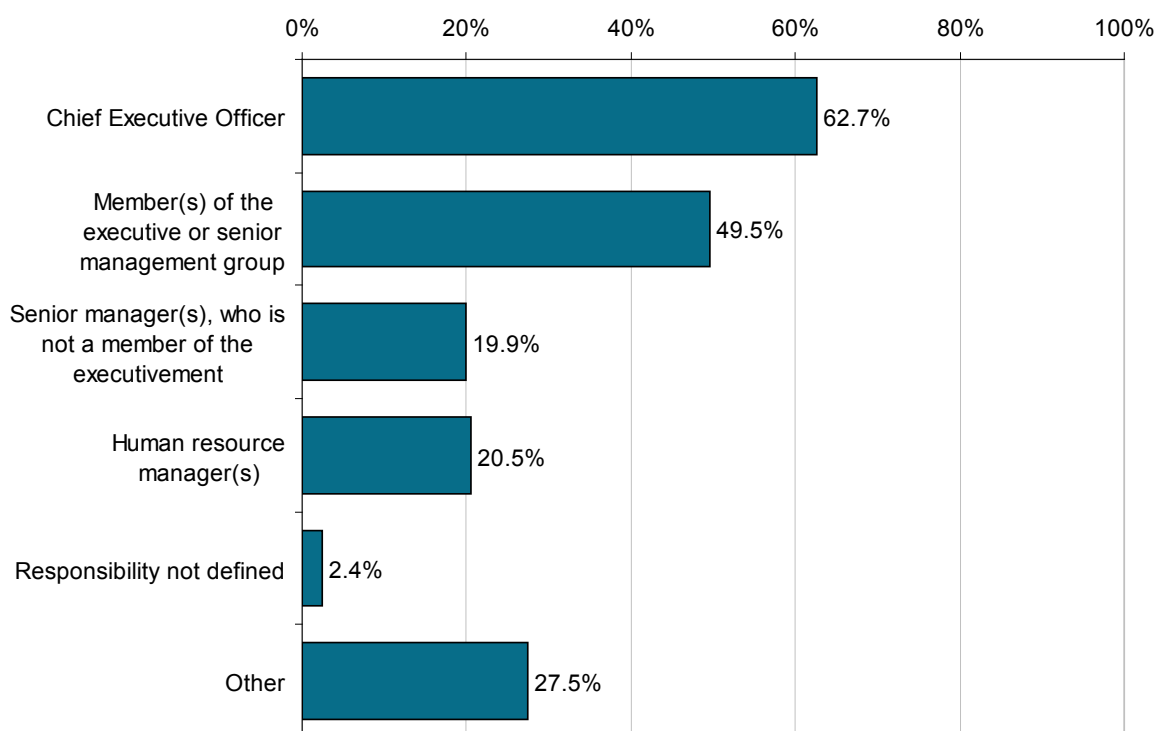
Key results from the 2007-08 Annual Agency Survey

Section I - Public Interest Disclosure Act 2003

Nine out ten public sector agencies completing the compliance survey had internal public interest disclosure procedures in place. Local government authorities and boards or committees did not perform as well with respect to this requirement under the PID Act. 87.5% of public sector agencies had procedures in place, 1.7% had no procedures in place and 10.8% did not respond.

- 69.7% of local government authorities had procedures in place, 16.2% had no procedures in place and 14.1% did not respond.
- 55.1% of boards or committees had procedures in place, 6.4% had no procedures in place and 38.5% did not respond.

I1i: Within your organisation, who leads and champions efforts to apply and communicate the PID Act? All public authorities

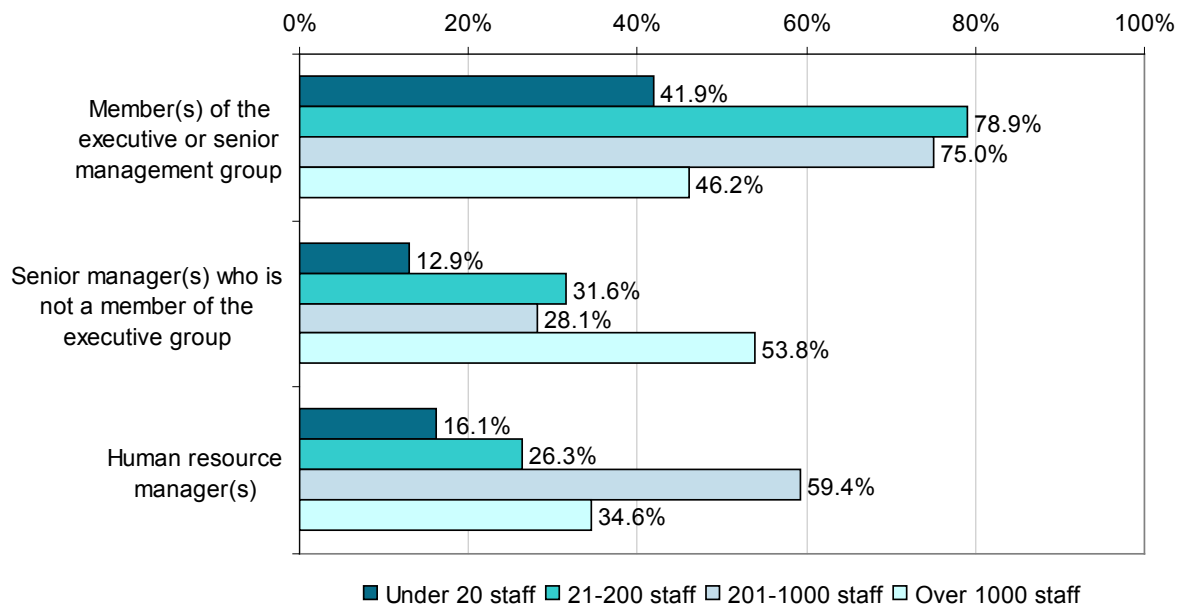


Note: Surveyed public authorities were able to choose multiple options for this question.

Within all public authorities, the CEO was the most nominated person to lead and champion efforts to apply and communicate the PID Act (62.7% of all 328 reporting authorities nominated the CEO). Results for each of the sectors were as follows:

- 79% for public sector agencies or authorities;
- 60% of local government authorities, and
- 33% of boards or committees.

I1ii: Within your organisation, who leads and champions efforts to apply and communicate the PID Act? Public sector agencies



Within the public sector, agency size also seems to play a significant role when it comes to champion efforts to apply and communicate the PID Act and raising awareness amongst staff.

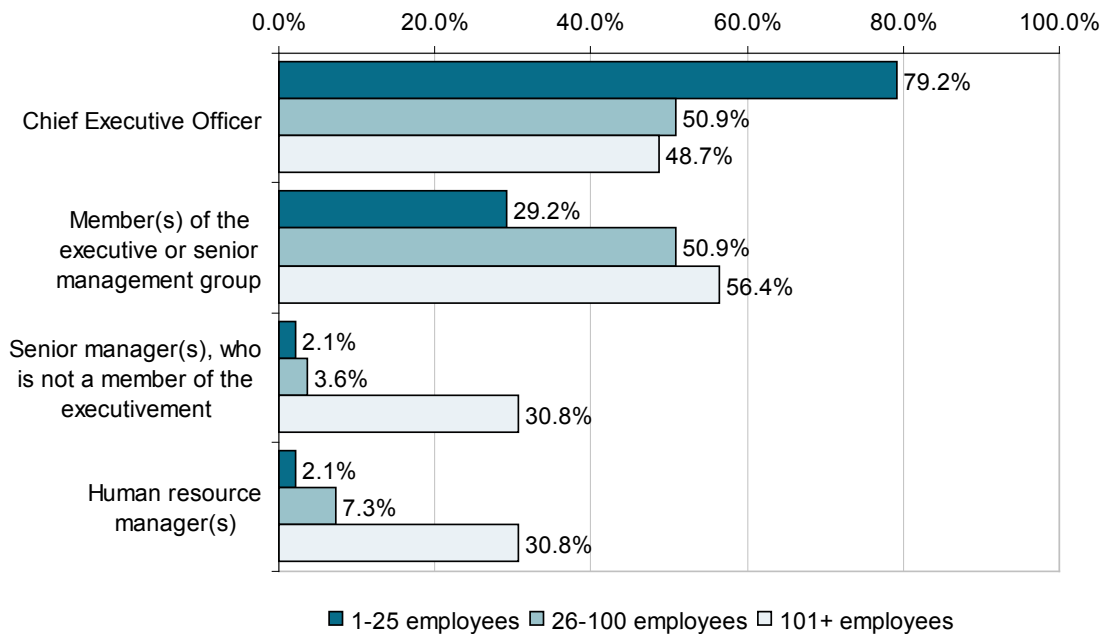
Agencies of all sizes considered that it was the responsibility of the CEO (range = 77.4% to 88.6%). When asked to nominate if it was also the responsibility of senior management, agencies with fewer than 20 staff were much less likely to agree. For example:

- 12.9% of agencies with fewer than 20 staff nominated senior managers as responsible for championing the PID Act, compared to 31.6% for agencies with between 20 and 200 staff, 28.1% for agencies with between 200 and 1,000 staff and 53.8% for those with more than 1,000 staff.

This trend was similar when asked if it was also the responsibility of human resource managers.

- 16.1% of agencies with fewer than 20 staff nominated their human resource manager as responsible for championing the PID Act, compared to 26.3% for agencies with between 20 and 200 staff, 59.4% for agencies with between 200 and 1,000 staff and 34.6% for those with more than 1,000 staff.

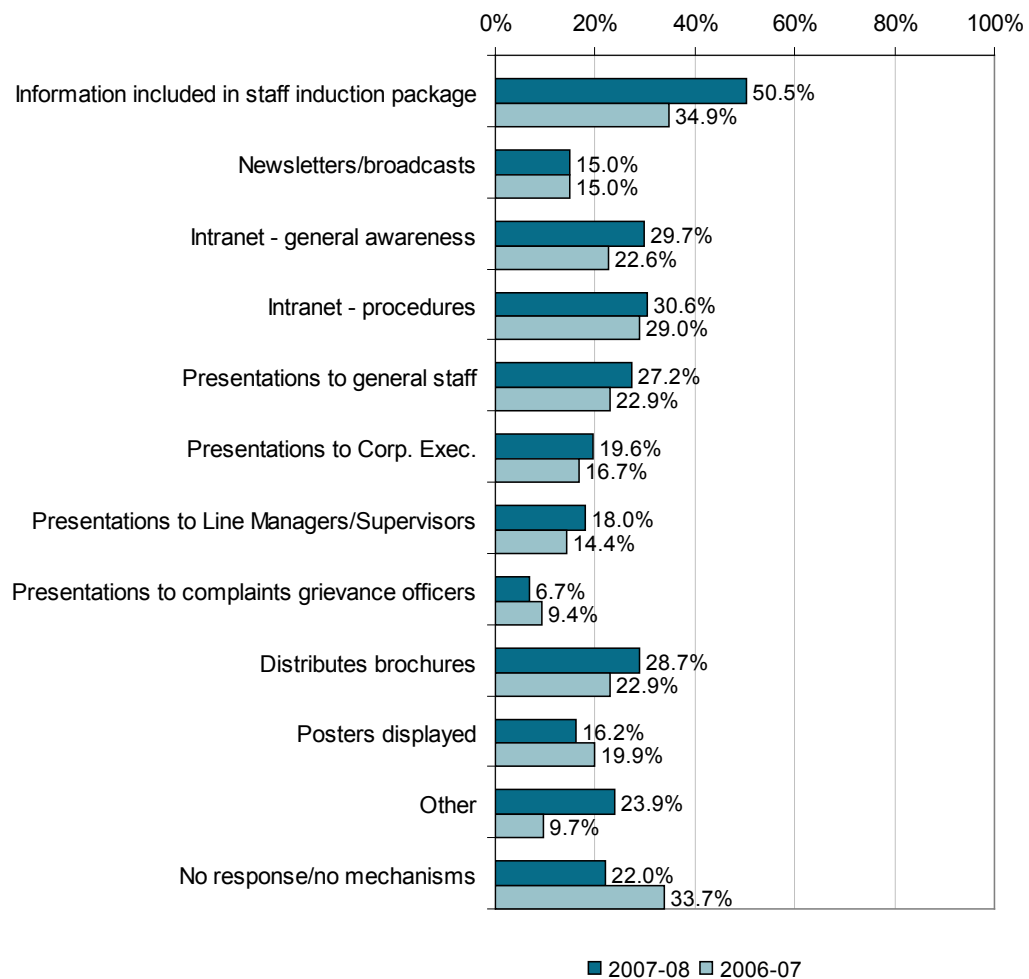
I1iii: Within your organisation, who leads and champions efforts to apply and communicate the PID Act? Local government authorities



Smaller authorities with fewer than 25 staff rely more heavily on their CEO to champion efforts to apply and communicate the PID Act (79.2%), compared to 50.9% for authorities with between 25 and 100 staff and 48.7% for those with more than 100 staff.

Larger local government authorities were more likely to nominate executive management, senior management or the human resource manager as also having responsibility to lead and champion efforts to apply and communicate the PID Act.

I12i: How have you raised awareness about the PID Act and how to make a disclosure? All public authorities, 2006-07 vs. 2007-08

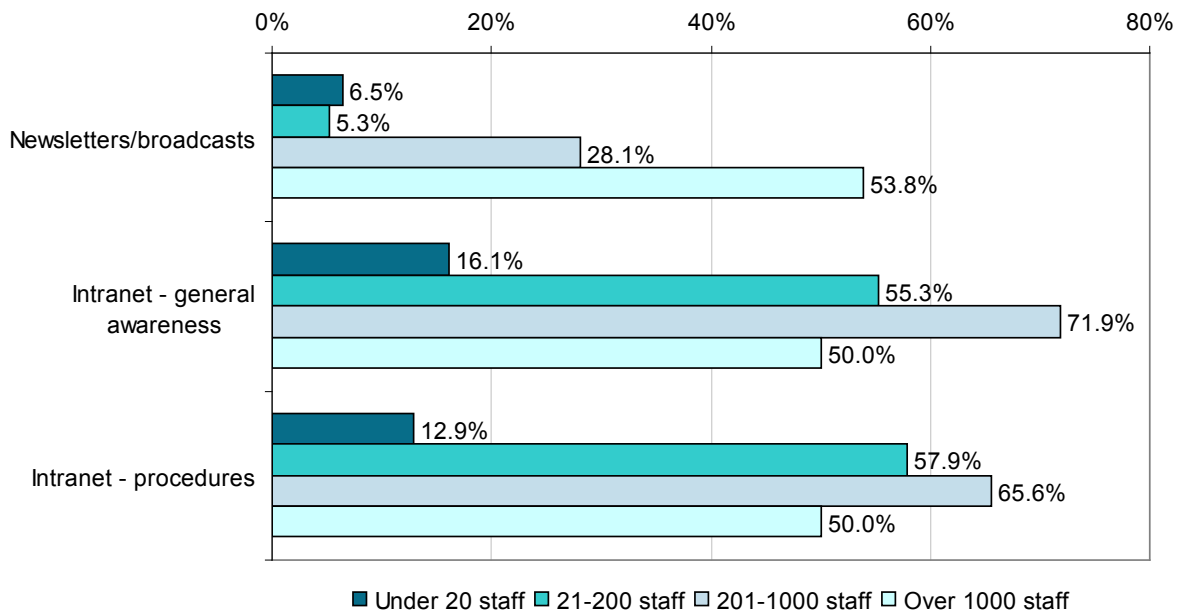


Almost eight out of ten public authorities who completed the survey had some awareness raising mechanisms in place for 2007-08, with the most popular strategy being the inclusion of public interest disclosure information within induction packages (50.5% overall had this strategy in place).

However, awareness raising activities varied considerably between public sector agencies or authorities, local government authorities and boards or committees.

- The provision of information in staff induction packages (55.9%), and on the intranet (48.8%) were the most common mechanisms for raising awareness in public sector agencies.
- Local government authorities and boards and committees tended to rely largely on the provision of information in staff induction packages (49.3% and 37%, respectively), with very few using other strategies.

I12ii: How have you raised awareness about the PID Act and how to make a disclosure? Public sector agencies



Within the public sector, agency size also seems to play a significant role when it comes to raising awareness of the PID Act. Information included in staff induction packages (55.9% overall) and presentations to staff (33.9% overall) were two methods used consistently and equally by agencies of all sizes.

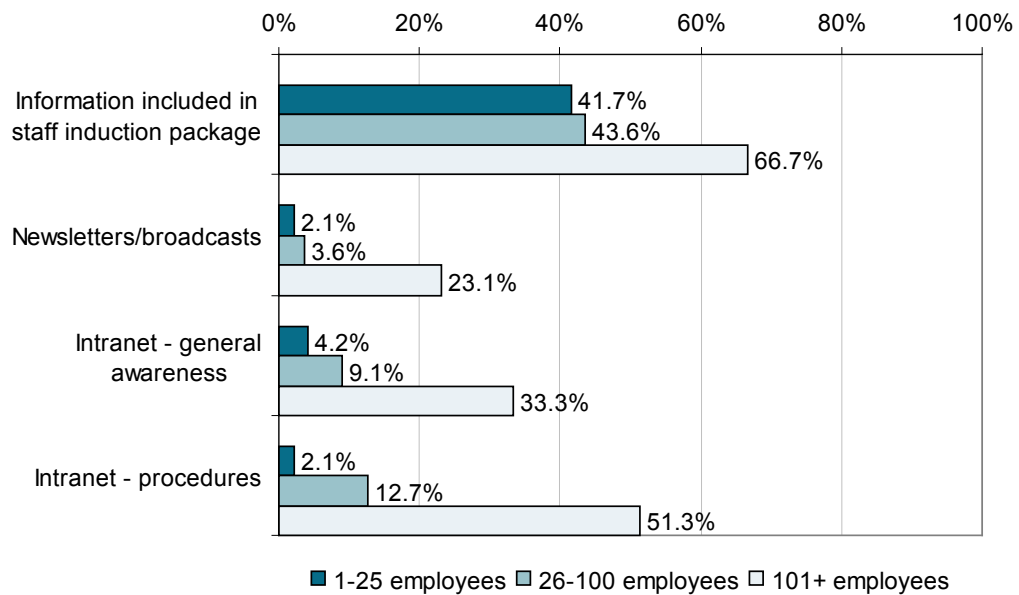
Smaller agencies were much less likely to use more innovative strategies such as newsletters, broadcasts or the intranet.

- Agencies with fewer than 200 staff were much less likely to use internal newsletters or broadcasts (5.3%), compared to agencies with between 200 and 1000 staff (28.1%) and more than 1,000 staff (53.8%).
- Agencies with fewer than 20 staff were much less likely to use the intranet to raise awareness (16.1%), compared to agencies with between 200 and 1000 staff (71.9%) and more than 1,000 staff (50%).

This was also the case for publishing public interest disclosure procedures.

- Agencies with fewer than 20 staff were much less likely to use the intranet (12.9%), compared to agencies with between 20 and 200 staff (57.9%) and between 200 and 1,000 staff (65.6%).

I12iii: How have you raised awareness about the PID Act and how to make a disclosure? Local government authorities



Local government authorities with more than 100 staff consistently use a combination of the suggested methods to raise awareness about the PID Act and how to make a disclosure.

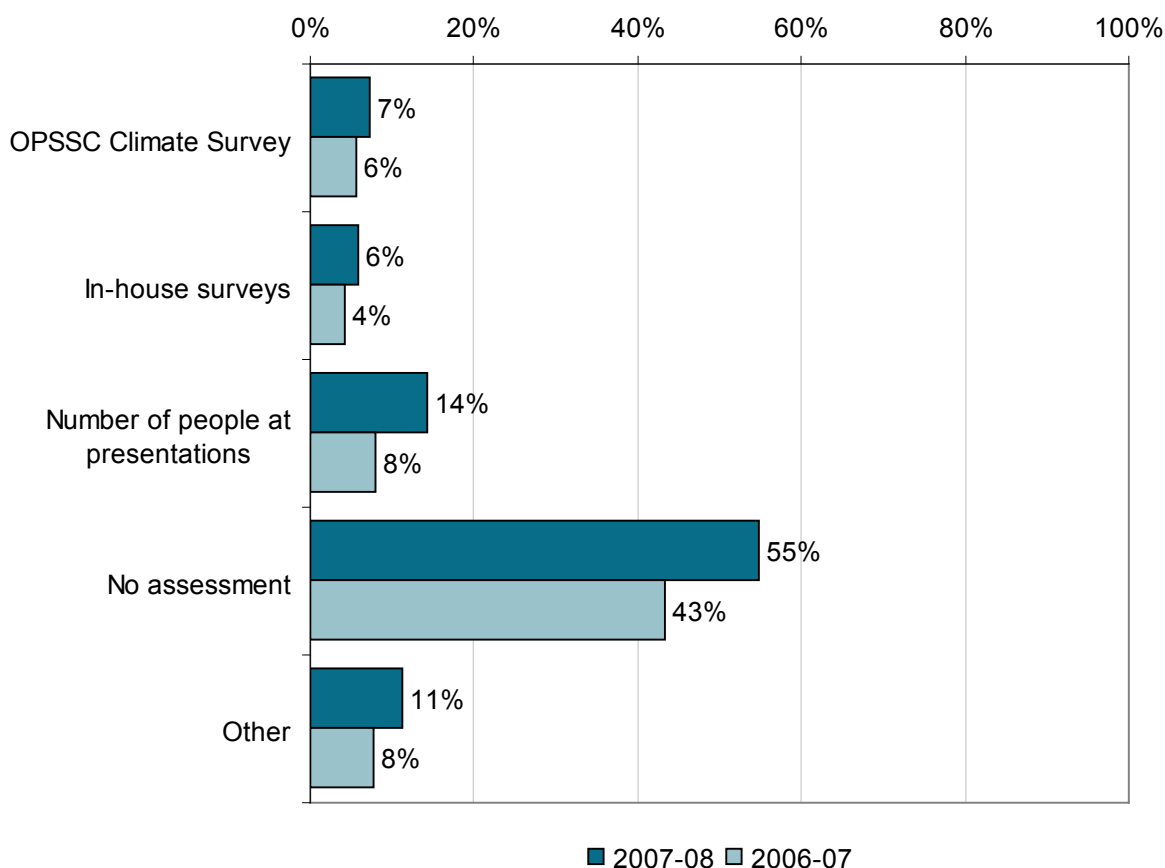
Smaller authorities appear less able to use more innovative communication methods when it comes to raising awareness of the PID Act. For example:

- authorities with fewer than 25 staff were much less likely to use the intranet to raise awareness (4.2%), compared to authorities with between 25 and 100 staff (9.1%) and more than 100 staff (33.3%).

This was also the case for publishing public interest disclosure procedures.

- Authorities with fewer than 25 staff were much less likely to use the intranet to publish public interest disclosure procedures (2.1%), compared to authorities with between 25 and 100 staff (12.7%) and more than 100 staff (51.3%).

I13: PID awareness assessment methods used by public authorities in 2007-08 vs. 2006-07



Note: Surveyed public authorities were able to choose multiple options for this question. "Climate Survey" refers to the Employee Perceptions Survey.

Survey results clearly highlight that all public authorities need to improve their evaluation methods when it comes to the assessment of staff awareness of the PID Act. The proportion of public authorities that have no assessment methods in place to monitor staff awareness of the PID Act has increased in 2007-08 (56%), compared to the previous year (43%). Survey results for each sector were as follows.

- 44.9% of public sector agencies or authorities had no assessment methods in place.
- 61.3% of local government authorities had no assessment methods in place.
- 41% of boards or committees had no assessment methods in place.

Public sector agencies with fewer than 200 staff were much more likely to have no assessment methods in place (range = 61.3% to 65.8%), compared to agencies with more than 200 staff (range = 19.2% to 25%).

The majority of local government authorities (of all sizes) do not assess the level of staff awareness about the PID Act (range = 54% to 69%).

Employee Perceptions Survey (PID Act)

In 2007-08, the OPSSC surveyed 13 public sector authorities covered by the PID Act and approximately 6,655 surveys were returned. Public sector agencies and authorities completing the Employee Perceptions Survey in 2007-08 are listed in Appendix 7.

Appendix 6 shows aggregate results for all respondents for the PID Act questions. As this data represents a summary of the sample of agencies surveyed, results must not be considered as necessarily representative of the public sector as a whole.

Overall 28% of survey participants believe that their career prospects would be affected if they made a disclosure. Given the protections and remedies available under the PID Act, this result appears to be a reflection of organisational culture and trust in the workplace.

Awareness of the PID Act

Employee perceptions survey results undertaken by the OPSSC to monitor compliance indicates that only 27% of staff are aware of the PID Act. A further 24% said that whilst they were not aware of the Act, they would know where to find out more information. The survey data also reflects that, across the sector, managers report a higher level of awareness of the PID Act than non-managers. Sixty-nine percent (69%) of employees with senior managerial responsibility said they were aware of the PID Act or would know where to find out more information, compared to 50% of employees with no senior managerial responsibility (only respondents who indicated whether they had senior managerial responsibility or not have been included in this further breakdown of the survey results).

Understanding how to make a public interest disclosure

Not surprisingly given the low level of awareness, survey respondents' understanding of how to make a public interest disclosure was also low. Only 12% of survey respondents knew how to make a public interest disclosure, but 32.5% did report knowing where to find out more information. More senior managers (63%) than non-senior managers (43%) reported understanding how to make a public interest disclosure.

Knowledge of PID officer within organisation

Just over a one third of respondents (35%) knew, or knew where to find out who their agency PID officer is. Of survey respondents with senior managerial responsibility, 50% said they knew who their PID officer is, or knew where to find out, compared to 33% of staff with non-senior managerial roles.

Willingness to make a public interest disclosure

Encouragingly, half of survey respondents (50%) agreed that they would make a public interest disclosure if they were aware of improper conduct. Only 8% of respondents indicated that they would not – with a high percentage selecting a neutral option or the “don’t know” option. Managers (61%) again reported being more willing to make a public interest disclosure than non-managers (51%).

Confidence: Identity kept confidential

Approximately 30% of survey respondents felt confident that if they made a public interest disclosure their identity would remain confidential, with managers (36%) having more confidence than non-managers (30%).

Confidence: Not subjected to victimisation/harassment

Just under a third of respondents (29%) reported feeling confident that they would not be subjected to victimisation or harassment should they make a public interest disclosure. Managers (36%) had more confidence in this provision than non-managers (29%).

Confidence: Career prospects not adversely affected

Just over a quarter of respondents (28%) reported feeling confident that their career prospects would not be adversely affected if they made a public interest disclosure. Managers (34%) felt more confident than non-managers (28%).

Summary

- Results from the Employee Perceptions Survey for 2007-08 indicate that knowledge of the PID Act continues to be relatively low across the sector.
- While awareness of the PID Act remains greater among staff in senior managerial roles, further work needs to be done by public authorities to raise the awareness of non-senior managerial staff. OPSSC remains focused on developing support materials and building capacity of public authorities through workshops and the PID officer training course, and a range of assistance tools. More work needs to be done, however, by public authorities to raise awareness within their own agencies.
- Staff continue to report a willingness to use the PID Act to report wrongdoing (50%). The ongoing challenge for public authorities is to engender the confidence of staff in their agency’s ability to protect them from victimisation and other forms of detrimental action.

APPENDICES

Appendix 1 – Public Sector Management Act 1994

Enabling legislation

The enabling legislation for Compliance Section 1 of this report is the *Public Sector Management Act 1994*. (PSM Act). OPSSC was established under the PSM Act; the functions and powers of the Commissioner are outlined in ss 21-25, 45, 48 and 97.

General principles of human resource management

Section 8 of the PSM Act covers the powers of the Commissioner relating to the general principles of human resource management that are relevant to this report. The relevant parts are:

- 8 (1) (a) all selection processes are to be directed towards, and based on, a proper assessment of merit and equity;
- 8 (1) (b) no power with regard to human resource management is to be exercised on the basis of nepotism or patronage; and
- 8 (1) (c) employees are to be treated fairly and consistently and are not to be subjected to arbitrary or capricious administrative acts.

General principles of official conduct

Section 9 of the PSM Act covers the powers of the Commissioner relating to the general principles of official conduct that are relevant to this report. The relevant parts are as follows:

The principles of conduct that are to be observed by all public sector bodies and employees are that they:

- (a) are to comply with the provisions of:
 - (i) this Act and any other Act governing their conduct;
 - (ii) public sector standards and codes of ethics; and
 - (iii) any code of conduct applicable to the public sector body or employee concerned;
- (b) are to act with integrity in the performance of official duties and are to be scrupulous in the use of official information, equipment and facilities; and are to exercise proper courtesy, consideration and sensitivity in their dealings with members of the public and employees.

Appendix 2 - List of agencies required to report under the Public Sector Management Act 1994; Public Interest Disclosure Act 2003; and Equal Opportunity Act 1984

Public sector agencies and Schedule 1 authorities

Agency/Authority	PSM Act	PID Act	EO Act
Animal Resources Authority	✓	✓	✓
Architects Board of WA	✓	✓	✓
Botanic Gardens and Parks Authority	✓	✓	✓
Builders and Painters' Registration Board of WA	✓	✓	✓
Building and Construction Industry Training Fund	✓	✓	✓
Bunbury Water Board	✓	✓	✓
Burswood Park Board	✓	✓	✓
Busselton Water Board	✓	✓	✓
Central TAFE	✓	✓	✓
C Y O'Connor College of TAFE	✓	✓	✓
Central West TAFE	✓	✓	✓
Challenger TAFE	✓	✓	✓
Corruption and Crime Commission	✓	✓	✓
Curriculum Council	✓	✓	✓
Department for Communities	✓	✓	✓
Department for Child Protection	✓	✓	✓
Department for Planning and Infrastructure	✓	✓	✓
Department of Agriculture and Food	✓	✓	✓
Department of the Attorney General	✓	✓	✓
Department of Environment and Conservation	✓	✓	✓
Department of Consumer and Employment Protection	✓	✓	✓
Department of Corrective Services	✓	✓	✓
Department of Culture and the Arts	✓	✓	✓
Department of Education Services	✓	✓	✓
Department of Fisheries	✓	✓	✓

Agency/Authority	PSM Act	PID Act	EO Act
Department of Housing and Works	✓	✓	✓
Department of Indigenous Affairs	✓	✓	✓
Department of Industry and Resources	✓	✓	✓
Landgate	✓	✓	✓
Department of Local Government and Regional Development	✓	✓	✓
Department of Racing, Gaming and Liquor	✓	✓	✓
Department of Sport and Recreation	✓	✓	✓
Department of the Premier and Cabinet	✓	✓	✓
Department of the Registrar WA Industrial Relations Commission	✓	✓	✓
Department of Water	✓	✓	✓
Department of Treasury and Finance	✓	✓	✓
Disability Services Commission	✓	✓	✓
East Perth and Subiaco Redevelopment Authorities	✓	✓	✓
Economic Regulation Authority	✓	✓	✓
Equal Opportunity Commission	✓	✓	✓
Fire and Emergency Services Authority of WA	✓	✓	✓
Forest Products Commission	✓	✓	✓
Gascoyne Development Commission	✓	✓	✓
Goldfields Esperance Development Commission	✓	✓	✓
Great Southern Development Commission	✓	✓	✓
Great Southern TAFE	✓	✓	✓
Hairdressers' Registration Board	✓	✓	✓
Healthway - WA Health Promotion Foundation	✓	✓	✓
Heritage Council of WA	✓	✓	✓
Insurance Commission of Western Australia	✓	✓	✓
Kimberley College of TAFE	✓	✓	✓
Kimberley Development Commission	✓	✓	✓
Law Reform Commission of WA	✓	✓	✓
Legal Aid Western Australia	✓	✓	✓

Agency/Authority	PSM Act	PID Act	EO Act
Lotterywest	✓	✓	✓
Main Roads Western Australia	✓	✓	✓
Metropolitan Cemeteries Board	✓	✓	✓
Midland Redevelopment Authority	✓	✓	✓
Midwest Development Commission	✓	✓	✓
Minerals and Energy Research Institute of WA	✓	✓	✓
National Trust of Australia (WA)	✓	✓	✓
Nurses and Midwives Board of WA	✓	✓	✓
Office of Energy	✓	✓	✓
Office of the Auditor General	✓	✓	✓
Office of the Director of Public Prosecutions	✓	✓	✓
Office of the Public Sector Standards Commissioner	✓	✓	✓
Office of Health Review	✓	✓	✓
Office of the Inspector of Custodial Services	✓	✓	✓
Office of the Parliamentary Commission for Administrative Investigations	✓	✓	✓
Peel Development Commission	✓	✓	✓
Perth Market Authority	✓	✓	✓
Pharmaceutical Council of WA	✓	✓	✓
Pilbara College of TAFE	✓	✓	✓
Pilbara Development Commission	✓	✓	✓
Potato Marketing Corporation of WA	✓	✓	✓
Public Transport Authority	✓	✓	✓
Rottnest Island Authority	✓	✓	✓
Small Business Development Corporation	✓	✓	✓
South West Development Commission	✓	✓	✓
South West Regional College of TAFE	✓	✓	✓
State Supply Commission of WA	✓	✓	✓
Swan TAFE	✓	✓	✓
Veterinary Surgeons Board	✓	✓	✓

Agency/Authority	PSM Act	PID Act	EO Act
WA Legal Practice Board	✓	✓	✓
West Coast College of TAFE	✓	✓	✓
WA College of Teaching	✓	✓	✓
Western Australia Police Service	✓	✓	✓
Western Australian Electoral Commission	✓	✓	✓
West Australian Tourism Commission	✓	✓	✓
WA Meat Authority	✓	✓	✓
Western Australian Sports Centre Trust	✓	✓	✓
Wheatbelt Development Commission	✓	✓	✓
WorkCover	✓	✓	✓
Zoological Parks Authority (Perth Zoo)	✓	✓	✓
Albany Port Authority	✓	✓	✓
Broome Port Authority	✓	✓	✓
Bunbury Port Authority	✓	✓	✓
Dampier Port Authority	✓	✓	✓
Esperance Port Authority	✓	✓	✓
Fremantle Port Authority	✓	✓	✓
Geraldton Port Authority	✓	✓	✓
Gold Corporation	✓	✓	✓
Independent Market Operator	✓	✓	✓
Office of the Information Commissioner	✓	✓	✓
Port Hedland Port Authority	✓	✓	✓
Racing and Wagering WA	✓	✓	✓
The Governor's Establishment	✓	✓	✓
WA Greyhound Racing Authority	✓	✓	✓
WA Treasury Corporation	✓	✓	✓
Water Corporation	✓	✓	✓
Western Australian Land Authority 'LandCorp'	✓	✓	✓
Western Power	✓	✓	✓

Agency/Authority	PSM Act	PID Act	EO Act
Verve Energy	✓	✓	✓
Horizon Power	✓	✓	✓
Synergy Energy	✓	✓	✓
Child and Adolescent Health Service	✓	✓	✓
North Metropolitan Area Health Service	✓	✓	✓
South Metropolitan Area Health Service	✓	✓	✓
WA Country Health Service	✓	✓	✓
PathWest Laboratory Medicine WA	✓	✓	✓
Dental Health Services	✓	✓	✓
Health - Royal Street Division	✓	✓	✓
Health Corporate Network	✓	✓	✓
Drug and Alcohol Office	✓	✓	✓
Department of Education and Training	✓	✓	✓
Country High Schools Hostels Authority	✓	✓	✓
Commissioner for Children and Young People	✓	✓	✓

Local government authorities

Authority	PSM Act	PID ACT	EO Act
Albany, City of		✓	✓
Armadale, City of		✓	✓
Ashburton, Shire of		✓	✓
Augusta-Margaret River, Shire of		✓	✓
Bassendean, Town of		✓	✓
Bayswater, City of		✓	✓
Belmont, City of		✓	✓
Beverley, Shire of		✓	✓
Boddington, Shire of		✓	✓
Boyup Brook, Shire of		✓	✓

Authority	PSM Act	PID ACT	EO Act
Bridgetown-Greenbushes, Shire of		✓	✓
Brookton, Shire of		✓	✓
Broome, Shire of		✓	✓
Broomehill, Shire of		✓	✓
Bruce Rock, Shire of		✓	✓
Bunbury, City of		✓	✓
Busselton, Shire of		✓	✓
Cambridge, Town of		✓	✓
Canning, City of		✓	✓
Capel, Shire of		✓	✓
Carnamah, Shire of		✓	✓
Carnarvon, Shire of		✓	✓
Chapman Valley, Shire of		✓	✓
Christmas Island, Shire of			✓
Chittering, Shire of		✓	✓
Claremont, Town of		✓	✓
Cockburn, City of		✓	✓
Cocos (Keeling) Islands, Shire of		✓	✓
Collie, Shire of		✓	✓
Coolgardie, Shire of		✓	✓
Coorow, Shire of		✓	✓
Corrigin, Shire of		✓	✓
Cottesloe, Town of		✓	✓
Cranbrook, Shire of		✓	✓
Cuballing, Shire of		✓	✓
Cue, Shire of		✓	✓
Cunderdin, Shire of		✓	✓
Dalwallinu, Shire of		✓	✓
Dandaragan, Shire of		✓	✓

Authority	PSM Act	PID ACT	EO Act
Dardanup, Shire of		✓	✓
Denmark, Shire of		✓	✓
Derby-West Kimberley, Shire of		✓	✓
Donnybrook-Balingup, Shire of		✓	✓
Dowerin, Shire of		✓	✓
Dumbleyung, Shire of		✓	✓
Dundas, Shire of		✓	✓
East Fremantle, Town of		✓	✓
East Pilbara, Shire of		✓	✓
Esperance, Shire of		✓	✓
Exmouth, Shire of		✓	✓
Fremantle, City of		✓	✓
Geraldton-Greenough, City of		✓	✓
Gingin, Shire of		✓	✓
Gnowangerup, Shire of		✓	✓
Goomalling, Shire of		✓	✓
Gosnells, City of		✓	✓
Halls Creek, Shire of		✓	✓
Harvey, Shire of		✓	✓
Irwin, Shire of		✓	✓
Jerramungup, Shire of		✓	✓
Joondalup, City of		✓	✓
Kalamunda, Shire of		✓	✓
Kalgoorlie-Boulder, City of		✓	✓
Katanning, Shire of		✓	✓
Kellerberrin, Shire of		✓	✓
Kent, Shire of		✓	✓
Kojonup, Shire of		✓	✓
Kondinin, Shire of		✓	✓

Authority	PSM Act	PID ACT	EO Act
Koorda, Shire of		✓	✓
Kulin, Shire of		✓	✓
Kwinana, Town of		✓	✓
Lake Grace, Shire of		✓	✓
Laverton, Shire of		✓	✓
Leonora, Shire of		✓	✓
Mandurah, City of		✓	✓
Manjimup, Shire of		✓	✓
Meekatharra, Shire of		✓	✓
Melville, City of		✓	✓
Menzies, Shire of		✓	✓
Merredin, Shire of		✓	✓
Mingenew, Shire of		✓	✓
Moora, Shire of		✓	✓
Morawa, Shire of		✓	✓
Mosman Park, Town of		✓	✓
Mount Magnet, Shire of		✓	✓
Mount Marshall, Shire of		✓	✓
Mukinbudin, Shire of		✓	✓
Mullewa, Shire of		✓	✓
Mundaring, Shire of		✓	✓
Murchison, Shire of		✓	✓
Murray, Shire of		✓	✓
Nannup, Shire of		✓	✓
Narembeen, Shire of		✓	✓
Narrogin, Shire of		✓	✓
Narrogin, Town of		✓	✓
Nedlands, City of		✓	✓
Ngaanyatjarraku, Shire of		✓	✓

Authority	PSM Act	PID ACT	EO Act
Northam, Shire of		✓	✓
Northampton, Shire of		✓	✓
Nungarin, Shire of		✓	✓
Peppermint Grove, Shire of		✓	✓
Perenjori, Shire of		✓	✓
Perth, City of		✓	✓
Pingelly, Shire of		✓	✓
Plantagenet, Shire of		✓	✓
Port Hedland, Town of		✓	✓
Quairading, Shire of		✓	✓
Ravensthorpe, Shire of		✓	✓
Rockingham, City of		✓	✓
Roebourne, Shire of		✓	✓
Sandstone, Shire of		✓	✓
Serpentine-Jarrahdale, Shire of		✓	✓
Shark Bay, Shire of		✓	✓
South Perth, City of		✓	✓
Stirling, City of		✓	✓
Subiaco, City of		✓	✓
Swan, City of		✓	✓
Tambellup, Shire of		✓	✓
Tammin, Shire of		✓	✓
Three Springs, Shire of		✓	✓
Toodyay, Shire of		✓	✓
Trayning, Shire of		✓	✓
Upper Gascoyne, Shire of		✓	✓
Victoria Park, Town of		✓	✓
Victoria Plains, Shire of		✓	✓
Vincent, Town of		✓	✓

Authority	PSM Act	PID ACT	EO Act
Wagin, Shire of		✓	✓
Wandering, Shire of		✓	✓
Wanneroo, City of		✓	✓
Waroon, Shire of		✓	✓
West Arthur, Shire of		✓	✓
Westonia, Shire of		✓	✓
Wickepin, Shire of		✓	✓
Williams, Shire of		✓	✓
Wiluna, Shire of		✓	✓
Wongan-Ballidu, Shire of		✓	✓
Woodanilling, Shire of		✓	✓
Wyalkatchem, Shire of		✓	✓
Wyndham-East Kimberley, Shire of		✓	✓
Yalgoo, Shire of		✓	✓
Yilgarn, Shire of		✓	✓
York, Shire of		✓	✓

Public university

University	PSM Act	PID ACT	EO Act
Curtin University of Technology		✓	✓
Edith Cowan University		✓	✓
Murdoch University		✓	✓
The University of Western Australia		✓	✓

Boards and committees

Board/Committee	PSM Act	PID ACT	EO Act
Adoption Applications Committee		✓	
Aged Care Advisory Council		✓	
Albany Cemetery Board		✓	
Anzac Day Trust		✓	
Aquaculture Development Council		✓	
Art Gallery Board of Western Australia		✓	
Arts WA Peer Assessment Panel - Designer Fashion		✓	
Arts WA Peer Assessment Panels - Arts Development		✓	
Arts WA Peer Assessment Panels - Contemporary Music		✓	
Arts WA Peer Assessment Panels - Indigenous Arts		✓	
Arts WA Peer Assessment Panels - Young People and the Arts		✓	
Board of Examiners		✓	
Building Disputes Tribunal		✓	
Bunbury Cemetery Board		✓	
Bush Fire Service Consultative Committee		✓	
Carers Advisory Council		✓	
Charitable Collections Advisory Committee		✓	
Chemistry Centre		✓	
Chicken Meat Industry Committee		✓	
Child Death Review Committee		✓	
Chiropractors Registration Board		✓	
Chowerup Cemetery Board		✓	
Commission for Occupational Safety and Health		✓	
Construction Industry Long Service Leave Payments		✓	
Consumer Products Safety Committee		✓	
Dental Board of Western Australia		✓	
Dental Charges Committee		✓	
Dwellingup Cemetery Board		✓	

Board/Committee	PSM Act	PID ACT	EO Act
Eastern Goldfields Transport Board		✓	
Electricity Retail Corporation Board		✓	
Environmental Protection Authority		✓	
Fire and Rescue Service Consultative Committee		✓	
Fluoridation of Public Water Supplies Advisory Committee		✓	
Gaming and Wagering Commission of Western Australia		✓	
Gaming Community Trust		✓	
Geraldton Greenough Regional Council		✓	
Grain Licensing Authority		✓	
Kalgoorlie/Boulder Cemetery Board		✓	
Keep Australia Beautiful Council		✓	
Land Surveyors Licensing Board		✓	
Land Valuers Licensing Board		✓	
Legal Costs Committee		✓	
Legal Practitioners Complaints Committee		✓	
Local Government Advisory Board		✓	
Marine Parks and Reserves Authority		✓	
Mines Survey Board		✓	
Mining Industry Advisory Committee		✓	
Motor Vehicle Industry Board		✓	
Occupational Therapists Registration Board of Western Australia		✓	
Optometrists Registration Board		✓	
Osteopaths Registration Board of Western Australia		✓	
Parliamentary Superannuation Board		✓	
Physiotherapists Registration Board		✓	
Professional Combat Sports Commission		✓	
Professional Standards Council		✓	
Psychologists Board of Western Australia		✓	
Public Education Endowment Trust (PEET)		✓	

Board/Committee	PSM Act	PID ACT	EO Act
Quadriplegic Centre Board		✓	
Racing and Wagering Western Australia (RWAA) Board*		✓	
Racing Penalties Appeal Tribunal		✓	
Real Estate and Business Agents Supervisory Board		✓	
Retail Shops Advisory Committee		✓	
Rural Business Development Corporation		✓	
Salaries and Allowances Tribunal		✓	
ScreenWest Board		✓	
Settlement Agents Supervisory Board		✓	
Shark Bay World Heritage Property Scientific Advisory Board		✓	
South Caroling Cemetery Board		✓	
State Emergency Service Consultative Committee		✓	
State Training Board		✓	
Swan River Trust		✓	
Volunteer Marine Rescue Services Consultative Committee		✓	
Western Australian Hazardous Materials Emergency Management		✓	
Western Australian Museum Board		✓	
Western Australian Planning Commission		✓	
Western Australian Reproductive Technology Council		✓	
Western Australian Technology and Industry Advisory Board		✓	
Yanchep National Park Advisory Committee		✓	

* Both Racing and Wagering Western Australia (RWAA) and it's Board completed PID surveys. Although in this instance the Board was not required to do so.

Appendix 3 – Public sector standards and ethical codes

Public Sector Standards in Human Resource Management 2001

Nine public sector standards have been developed and communicated to agencies by OPSSC to achieve the following outcomes. Details of the minimum standards required to achieve these outcomes are available on www.opssc.wa.gov.au.

Recruitment Selection and Appointment Standard

The most suitable and available people are selected and appointed.

Transfer Standard

Transfer decisions are equitable and take into account the participating organisation's work related requirements and employee interests.

Secondment Standard

Secondment decisions are equitable and take into account the participating organisation's work related requirements and employee interests.

Performance Management Standard

The performance of employees is fairly assessed to achieve the work related requirements of the public sector body while paying proper regard to employee interests.

Redeployment Standard

Redeployment decisions are equitable and take into account the participating organisation's work related requirements and employee interests.

Termination Standard

Termination decisions are fair and entitlements are provided.

Discipline Standard

The discipline process observes procedural fairness.

Temporary Deployment (Acting) Standard

Temporary deployment (Acting) decisions are equitable and take into account the participating organisation's work related requirements and employee interests.

Grievance Resolution Standard

The process used by an employing authority to resolve or redress grievances is fair.

Ethical codes

The public sector Code of Ethics was first established in 1996. A revised version came into effect from February 2002. Public sector bodies can develop their own agency-based code(s) of conduct to give further practical information to their staff about how to give effect to the principles outlined in the Code of Ethics. Public sector bodies must comply with codes.

The three key principles of the Code of Ethics are as follows.

Justice – being impartial and using power fairly for the common good. It means not abusing, discriminating against or exploiting people.

Respect for persons – being honest and treating people courteously, so that they maintain their dignity and their rights are upheld. It means not harassing, intimidating or abusing people.

Responsible care – protecting and managing with care the human, natural and financial resources of the State. It means decisions and actions do not harm the short and long term well being of people and resources.

Appendix 4 – Public Interest Disclosure Act 2003

The PID Act commenced on 1 July 2003, and applies to the Western Australian public authorities, as defined in the Act.

The PID Act covers disclosures of public interest information, which is information relating to the performance of a public function by a public authority, public officer or public sector contractor, and which tends to show that the public body is, has been, or proposes to be involved in:

- improper conduct;
- an offence against State law;
- a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources;
- conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment; or
- conduct relating to a matter of administration affecting someone in their personal capacity that falls within the jurisdiction of the Ombudsman.

Anyone can make a disclosure of public interest information, including members of the public. The person making the disclosure must believe on reasonable grounds that the information is or may be true. A person commits an offence under the PID Act if they know, or are reckless about whether, the information is false or misleading in a material sense.

Disclosures can only be made to a proper authority, either to a designated PID officer within the public authority concerned, or to one of the named proper authorities, such as the CCC, the Auditor General and the State Ombudsman, depending on the nature of the information being disclosed. The PID Act does not protect disclosures made to persons other than a proper authority.

A person who makes an appropriate disclosure under the PID Act is provided with certain immunities for doing so, including immunity from legal action, disciplinary action and termination. A person forfeits this protection if he or she discloses information contained in a disclosure otherwise than in accordance with the PID Act, or fails to assist a person investigating the disclosure without reasonable excuse.

The PID Act prohibits the disclosure of information that might identify or tend to identify anyone as a person who has made an appropriate disclosure of public interest information or the person named in the disclosure, unless in certain circumstances.

Disclosures of public interest information must be investigated if the disclosure relates to the public authority, its officers, or contractors, or a matter or person that the authority has a function or power to investigate. A proper authority may refuse

to investigate, or discontinue an investigation in certain circumstances, and the proper authority must provide the discloser reasons for doing so.

The PID Act requires a proper authority to take action if it forms the view that a person may be, may have been or may in the future be involved in improper conduct to which the Act applies. The action, which a proper authority must take, is to:

- prevent the matter to which the disclosure relates from continuing or occurring in future;
- refer the matter to the Commissioner of Police or another person, body or organisation having power to investigate the matter; or
- take disciplinary action or commence or enable disciplinary proceedings to be commenced against a person responsible for the matter.

In taking such action, the proper authority is limited in its functions and powers, and must also be guided by what is necessary and reasonable in the circumstances.

Within three months after the disclosure is made, the proper authority must notify the discloser of the action taken or proposed to be taken in relation to the disclosure. Once an investigation is complete, the proper authority must provide a final report to the discloser stating the outcome of the investigation and the reason for taking action following the investigation.

The investigation, obligations with respect to taking action, and reporting obligations do not apply the Ombudsman or the CCC where they have functions in relation to the disclosure under their own legislation.

The PID Act makes an offence of reprisal, which occurs if a person takes or threatens to take detrimental action against another because anyone has made, or intends to make, a disclosure under the PID Act. Penalties also apply where a person who attempts to commit this offence, or incites another to do so.

The PID Act also provides remedies to disclosers for acts of victimisation. A person who is subjected to detrimental action may either take civil proceedings for damages or make a complaint under the EO Act.

The PID Act requires the principal executive officer of a public authority to ensure that his or her public authority complies with the PID Act, and the PID Code of Conduct and Integrity. There are a number of other obligations on principal executive officers under the PID Act, including protecting an employee who has made a disclosure from detrimental action or the threat of such action, preparing internal procedures, and reporting annually to the Commissioner for Public Sector Standards.

Appendix 5 – Glossary of terms

Appropriate disclosure of public interest information

To be an appropriate disclosure of public interest information under the PID Act, the following criteria must be met.

- The information disclosed relates to a public authority, a public officer or a public sector contractor.
- The information disclosed relates to the performance of a public function.
- The information disclosed tends to show improper conduct, or one of the other categories of public interest information, as defined in s.3 of the PID Act (see definition below).
- The PID officer is the appropriate proper authority for receiving such information.
- The discloser believes on reasonable grounds that the information disclosed is or may be true.
- The information is not protected by legal professional privilege.
- It is clear that the discloser has chosen to make a disclosure under the PID Act to enable the disclosure to be identified as one to which the PID Act applies.

Breach of standard

A determination by the Commissioner that one or more of the requirements of a public sector standard has/have not been complied with.

Employee Perceptions Survey

A questionnaire measuring employee perceptions of human resource management, ethical conduct, equity and diversity within an agency.

Compliance framework

The key elements of the compliance framework are to educate and persuade public sector bodies to comply; to develop their capacity to comply; and to deter non-compliance.

Compliance Inquiries – General

Pursuant to s. 21 of the PSM Act, Compliance Inquiries – General can address areas beyond the scope of the breach of standard claim process and provide information to assist the Commissioner to monitor compliance. These compliance inquiries relate to the general principles of official conduct. The Commissioner can choose to undertake an inquiry or review as a result of compliance inquiries.

Compliance monitoring

Monitoring the extent of compliance with the public sector standards and ethical codes at either an agency or sector level pursuant to ss 8 and 9 of the PSM Act.

Code of conduct

A formal written policy documenting the behaviour expected of all employees of a public sector body. Each public sector body is expected, under the PSM Act, to develop a code of conduct consistent with the public sector Code of Ethics.

Code of Ethics

The Western Australian public sector Code of Ethics which outlines the minimum standards of conduct and integrity for public sector bodies and employees.

Ethical codes

The Western Australian public sector Code of Ethics together with the individual codes of conduct of public sector bodies.

Human resource management principles

The human resource management principles are that selection is based on a proper assessment of merit and equity; human resource management powers are not based on nepotism or patronage and employees are to be treated fairly and consistently.

Authorities specified in s.5(3)(a-g)

The CCC, the Auditor General, the State Ombudsman, WA Police, and the Commissioner for Public Sector Standards, who can receive particular types of information under s.5(3) of the PID Act.

Public interest disclosure

A disclosure made under the PID Act.

PID officer

Public interest disclosure officer – a person who occupies a position within a public authority that has been designated by the principal executive officer to receive disclosures of public interest information about matters falling within the sphere of responsibility of the public authority under s.5(3)(h) of the PID Act

Proper authority

A public interest disclosure has to be made to a proper authority. A proper authority may be the PID officer within a public authority. A proper authority may also be a particular authority specifically named in s.5(3) the PID Act to receive disclosures about particular types of information

Public authority

Public authority is defined in s.3 of the PID Act to mean:

- a. a department of the public service established under s.35 of the PSM Act;
- b. an organisation specified in column 2 of Schedule 2 to the PSM Act;
- c. a non-SES organisation within the meaning of that term in s.3(1) of the PSM Act;
- d. a local government or regional local government;
- e. a body that is established or continued for a public purpose under a written law;
- f. a body that is established by the Governor or a Minister;
- g. any other body or the holder of an office referred to in subsection (2) that is declared by the regulations to be a public authority.

Public interest information

Public interest information is defined in s.3 of the PID Act to mean “information that tends to show that, in relation to its performance of a public function (either before or after the commencement of this Act), a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in:

- improper conduct;
- an act or omission that constitutes an offence under written law ;
- a substantial unauthorised or irregular use of, or substantial mismanagement of, public resources;
- an act or omission that involves a substantial and specific risk of -
 - injury to public health;
 - prejudice to public safety; or
 - harm to the environment; or
- a matter of administration that can be investigated under s.14 of the *Parliamentary Commissioner Act 1971*.

Public sector standards

The *Public Sector Standards in Human Resource Management 2001*. There are nine standards:

- Recruitment, Selection and Appointment;
- Transfer;
- Secondment;
- Performance Management;
- Redeployment;
- Termination;
- Discipline;
- Temporary Deployment (Acting); and
- Grievance Resolution.

Reporting period

1 July 2007 to 30 June 2008.

Thematic review

A review relating to specific human resource management principles and standards and ethical principles and codes that provides an in-depth examination of an issue across a range of public sector agencies.

Appendix 6 – OPSSC Employee Perceptions Survey (Climate Survey) results 2007-08

Human Resource Management

	Human Resource Management	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
HRM1	Your immediate supervisor makes use of appropriate communication and interpersonal skills in dealing with you	0.8%	45.5%	32.8%	6.4%	8.7%	5.4%	0.5%
HRM2	Your input is adequately sought and considered about decisions that directly affect you	1.0%	32.4%	36.2%	8.3%	12.6%	9.1%	0.5%
HRM3	Positions are generally advertised within a reasonable time of becoming vacant	1.2%	15.5%	28.5%	16.1%	15.5%	14.0%	9.1%
HRM4	Selection panels in this workplace select candidates on the basis of merit	1.2%	24.7%	27.6%	15.4%	12.0%	8.6%	10.4%
HRM5	Generally speaking, the recruitment and selection processes of this workplace are unbiased	1.4%	23.7%	28.1%	15.5%	13.7%	10.0%	7.4%
HRM6	Recruitment and promotion decisions in this agency are fair	1.4%	18.5%	27.3%	16.9%	16.6%	11.3%	8.0%
HRM7	Favouritism plays a part in the selection for relieving or acting opportunities	1.4%	13.6%	25.3%	20.2%	14.3%	16.7%	8.4%
HRM8	Decisions to transfer staff are decided upon fairly	1.6%	10.6%	20.1%	29.0%	10.1%	6.5%	22.0%
HRM9	Decisions to second employees to equivalent or higher positions are decided upon fairly	1.5%	10.9%	23.6%	24.7%	13.5%	8.3%	17.3%
HRM10	Your immediate supervisor is effective in managing people	1.4%	35.4%	32.4%	9.6%	11.4%	8.9%	0.9%
HRM11	Your performance is fairly assessed in your workplace	1.6%	29.3%	34.5%	15.2%	9.0%	6.4%	4.0%

	Human Resource Management	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
HRM12	Your agency communicates to you all the information you need to progress your career	1.4%	14.3%	28.8%	18.7%	18.4%	15.1%	3.3%
HRM13	Sufficient training opportunities are available to all employees	1.4%	18.5%	33.5%	12.2%	18.1%	14.2%	2.0%
HRM14	You have confidence in the processes that your agency uses to resolve employee grievances	1.5%	12.9%	25.9%	21.0%	14.3%	15.5%	8.8%

	Human Resource Management	No Response	Yes	No, but know where to find out	No
HRM15	Are you aware that Human Resource Standards exist in the public sector for recruitment, selection & appointment?	1.6%	82.2%	7.7%	8.6%
HRM16	Are you aware that Human Resource Standards exist in the public sector for temporary deployment (acting)?	1.8%	68.6%	13.7%	15.8%
HRM17	Are you aware that Human Resource Standards exist in the public sector for grievance resolution?	1.9%	78.8%	9.9%	9.4%
HRM18	Are you aware that Human Resource Standards exist in the public sector for performance management?	1.9%	77.6%	9.5%	11.0%
HRM19	Are you also aware that HR Standards exist in the public sector for redeployment, termination, discipline, transfer, and secondment?	1.4%	73.9%	11.0%	13.7%
HRM20	Do you understand what courses of action are available to you should a breach of Standard occur?	1.2%	35.0%	35.5%	28.3%

	Human Resource Management	No Response	Yes, and took action	Yes, but did not take any action	No
HRM21	Have you felt aggrieved by a breach of Standard or HRM decision, and if so, did you take any action?	1.7%	8.4%	20.5%	69.5%

Code of Ethics and code of conduct

	Ethics	No Response	Never	Rarely	Sometimes	Often	Always	Don't Know or Doesn't Apply
ETH1	Confidential information in your workplace is only disclosed to appropriate people	2.8%	2.1%	4.3%	15.1%	25.0%	42.4%	8.3%
ETH2	Favourable or preferential treatment is given to customers who are relatives or friends of staff	2.9%	27.2%	21.0%	15.9%	6.3%	2.8%	23.9%
ETH3	Customers are given reasons for decisions	3.5%	1.1%	3.7%	15.9%	27.6%	30.4%	17.7%
ETH4	Decisions about purchasing are influenced by favouritism, gifts or incentives	3.1%	45.4%	11.9%	4.8%	1.8%	1.0%	32.1%
ETH5	You are treated with respect by your immediate supervisor	3.2%	1.5%	3.0%	11.6%	19.4%	60.5%	0.7%
ETH6	You are treated with respect by other employees in your agency	3.1%	0.6%	1.5%	12.9%	39.4%	42.0%	0.5%
ETH7	Staff accept personal responsibility for their actions	3.0%	1.4%	6.9%	30.0%	35.5%	20.3%	2.8%

	Ethics	No Response	Very High	High	Moderate	Low	Very Low	Don't Know or Doesn't Apply
ETH8	Please rate your familiarity with the WA public sector Code of Ethics	5.4%	5.7%	20.0%	39.7%	15.7%	10.9%	2.5%
ETH9	Please rate your familiarity with your agency's Code of Conduct	3.5%	9.2%	30.2%	37.4%	10.8%	6.7%	2.1%

	Ethics	No Response	Yes, and it was reported	Yes, but it was not reported	No
ETH10	Have you been aware of an occurrence of unethical behaviour in your workplace in the last 2 to 3 years and if so was the unethical behaviour reported?	3.0%	20.3%	20.1%	56.5%

	Ethics	No Response	Yes	No	Not Sure
ETH11	During the last twelve months have you been subjected to bullying or harassment in your workplace?	2.8%	21.2%	68.2%	7.8%

	Ethics	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
ETH12	Your agency actively encourages ethical behaviour by all of its employees	2.9%	40.4%	36.9%	9.3%	6.2%	2.7%	1.6%
ETH13	Your agency actively serves the public interest	3.0%	45.4%	34.6%	7.5%	5.1%	2.3%	2.0%
ETH14	Your agency acts responsibly in caring for public resources	3.3%	38.7%	36.4%	9.9%	6.1%	3.0%	2.6%
ETH15	Senior managers in your agency lead by example in ethical behaviour	3.1%	32.7%	33.4%	10.7%	11.2%	6.6%	2.2%
ETH16	Your agency actively monitors ethical conduct	3.4%	17.8%	29.2%	20.1%	10.5%	6.1%	12.9%
ETH17	Your agency has appropriate systems in place to raise concerns about unethical conduct in the workplace	3.1%	22.9%	34.6%	14.9%	8.7%	5.0%	10.9%
ETH18	People who report unethical behaviour in your workplace are protected from victimisation and harassment	3.0%	15.3%	19.8%	18.3%	10.1%	8.5%	25.0%

Equal employment opportunity

	EEO and Diversity	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
EEO1	Your agency is committed to creating a diverse workforce (eg gender, age, cultural background, disability and Indigenous status)	13.0%	34.8%	32.4%	10.5%	3.9%	1.8%	3.6%
EEO2	Your immediate supervisor treats all employees in your workplace with equal respect regardless of their gender	4.5%	60.0%	21.2%	4.9%	5.8%	2.5%	1.2%
EEO3	Your immediate supervisor treats all employees in your workplace with equal respect regardless of their ethnic or cultural identity	4.8%	61.3%	21.0%	6.3%	3.0%	1.2%	2.4%

	EEO and Diversity	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
EEO4	Your immediate supervisor treats all employees in your workplace with equal respect regardless of their disability	5.0%	57.5%	18.6%	7.5%	2.1%	0.8%	8.4%
EEO5	Your immediate supervisor treats all employees in your workplace with equal respect regardless of their aboriginality	5.0%	56.5%	18.3%	6.9%	2.3%	1.0%	10.1%
EEO5i	Your immediate supervisor treats all employees in your workplace with equal respect regardless of their age	4.8%	59.1%	21.5%	6.5%	4.3%	2.2%	1.7%
EEO6	Your co-workers treat all people in the workplace with equal respect regardless of their gender	4.7%	51.4%	30.0%	5.1%	6.3%	1.7%	0.8%
EEO7	Your co-workers treat all people in the workplace with equal respect regardless of their ethnic or cultural identity	4.9%	51.8%	28.9%	6.4%	5.3%	1.2%	1.4%
EEO8	Your co-workers treat all people in the workplace with equal respect regardless of their disability	5.1%	50.4%	26.6%	7.0%	3.1%	0.8%	7.0%
EEO9	Your co-workers treat all people in the workplace with equal respect regardless of their aboriginality	5.4%	48.4%	26.5%	6.2%	4.2%	1.2%	8.1%
EEO9i	Your co-workers treat all people in the workplace with equal respect regardless of their age	5.5%	50.7%	29.9%	6.1%	5.1%	1.5%	1.1%
EEO10	Ethnic and cultural diversity is welcomed in your workplace	4.7%	50.9%	31.1%	8.1%	2.6%	0.6%	2.0%
EEO11	People of Aboriginal or Torres Strait Islander descent are welcomed in your workplace	4.5%	53.4%	24.4%	7.8%	2.1%	0.6%	7.2%
EEO12	Men and women are equally welcomed in your workplace	4.8%	57.6%	24.8%	5.8%	4.5%	1.4%	1.0%

	EEO and Diversity	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
EEO13	People with disabilities are equally welcomed in your workplace	4.8%	46.2%	24.5%	10.8%	3.2%	0.9%	9.6%
EEO13i	People of all ages are equally welcomed in your workplace	4.9%	54.2%	28.1%	6.3%	4.2%	1.1%	1.1%
EEO14	Your immediate supervisor is committed to and supports equal employment opportunity and diversity in your workplace	4.8%	53.6%	23.3%	8.7%	3.7%	2.2%	3.8%
EEO14i	Your workplace culture supports people who utilise paid or unpaid parental leave	4.8%	41.8%	23.3%	10.4%	4.0%	1.8%	14.0%
EEO15	Your workplace culture supports people to achieve a suitable work/life balance	4.7%	34.9%	28.7%	10.8%	11.1%	6.8%	2.9%
EEO16	Taking up part-time work options would limit your career in your agency	4.8%	19.5%	26.3%	15.8%	12.7%	9.7%	11.1%
EEO17	Taking up flexible work options (e.g. start and finishing times, leave arrangements etc.) would limit your career in your agency	4.7%	14.0%	20.6%	15.6%	17.2%	17.6%	10.3%
	EEO and Diversity	No Response	Never	Rarely	Sometimes	Often	Always	Don't Know or Doesn't Apply
EEO18	Your agency's policies support the use of part-time work arrangements and provide relevant information to staff	4.8%	3.5%	10.4%	24.3%	25.0%	17.8%	14.3%
EEO19	Your agency supports part-time work arrangements for management or supervisory positions	4.8%	7.5%	17.4%	19.0%	12.7%	8.6%	30.0%
EEO20	Your immediate supervisor supports the use of flexible work arrangements and accommodates the needs of employees	5.0%	3.7%	7.0%	18.8%	27.2%	29.3%	8.9%
EEO20i	Your immediate supervisor supports the use of flexible leave arrangements and accommodates the needs of employees	5.0%	3.4%	5.9%	17.9%	29.9%	31.0%	6.9%

	EEO and Diversity	No Response	Never	Rarely	Sometimes	Often	Always	Don't Know or Doesn't Apply
EEO21	Your immediate supervisor supports the use of part-time work arrangements and accommodates the needs of employees	4.9%	3.6%	7.4%	18.6%	23.7%	24.5%	17.3%
EEO22	Occurrence: Other staff making unwelcome comments, jokes or remarks of a sexist nature	4.6%	29.2%	34.8%	21.7%	5.3%	1.1%	3.3%
EEO23	Occurrence: Other staff making unwelcome comments, jokes or remarks about someone because of their age	4.9%	36.4%	35.3%	15.9%	3.3%	0.8%	3.4%
EEO24	Occurrence: Other staff making unwelcome comments, jokes or remarks of a racist or ethnic nature	5.0%	44.4%	30.0%	13.5%	3.1%	0.8%	3.3%
EEO25	Occurrence: Other staff making unwelcome comments, jokes or remarks about someone with a disability	5.1%	54.4%	26.7%	6.1%	1.1%	0.4%	6.3%
EEO26	Occurrence: Other staff making unwelcome comments, jokes about someone of Aboriginal or Torres Strait Islander descent	5.0%	49.6%	25.9%	9.9%	2.1%	0.6%	6.8%
EEO26i	Occurrence: Other staff making unwelcome sexual advances or other unwelcome conduct of a sexual nature	5.8%	59.1%	20.3%	6.1%	1.0%	0.2%	7.5%

	EEO and Diversity	No Response	Completely Acceptable	Somewhat Acceptable	Neither Condoned or Discouraged	Somewhat Unacceptable	Completely Unacceptable	Don't Know or Doesn't Apply
EEO27	Acceptance: Other staff making unwelcome comments, jokes or remarks of a sexist nature	4.8%	3.7%	6.4%	9.4%	14.5%	54.8%	6.4%
EEO28	Acceptance: Other staff making unwelcome comments, jokes or remarks about someone because of their age	5.0%	3.6%	5.5%	10.5%	16.1%	52.1%	7.2%
EEO29	Acceptance: Other staff making unwelcome comments, jokes or remarks of a racist or ethnic nature	5.1%	3.7%	3.4%	7.0%	11.0%	63.6%	6.3%
EEO30	Acceptance: Other staff making unwelcome comments, jokes or remarks about someone with a disability	5.3%	3.7%	2.0%	6.5%	9.3%	65.5%	7.8%
EEO31	Acceptance: Other staff making unwelcome comments, jokes about someone of Aboriginal or Torres Strait Islander descent	5.1%	3.6%	2.8%	6.4%	9.5%	64.8%	7.8%
EEO31i	Acceptance: Other staff making unwelcome sexual advances or other unwelcome conduct of a sexual nature	5.6%	3.6%	1.8%	5.3%	7.2%	68.9%	7.6%

Public interest disclosure

	Public Interest Disclosure Act 2003	No Response	Yes	No, but I know where to find out	No
PIDA1	Are you aware of the Public Interest Disclosure Act 2003 (The PID Act)?	5.0%	27.4%	24.4%	43.1%
PIDA2	Do you understand how to make a public interest disclosure?	5.4%	12.5%	32.5%	49.6%
PIDA3	Do you know who the public interest disclosure (PID) officer/s is/are in my agency?	5.2%	8.5%	26.6%	59.8%

	Public Interest Disclosure Act 2003	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
PIDA4	You would use the Public Interest Disclosure Act to make a disclosure to the PID officer if you were aware of improper conduct in my workplace	6.3%	19.0%	31.3%	14.6%	5.2%	3.2%	20.3%
PIDA5	If you made a public interest disclosure under the PID Act, are you confident that your identity would remain confidential?	5.5%	11.5%	18.1%	12.4%	17.4%	11.6%	23.5%
PIDA6	If you made a public interest disclosure under the PID Act, are you confident that you would not be subjected to victimisation or harassment?	5.9%	12.1%	17.3%	14.8%	15.7%	10.9%	23.4%
PIDA7	If you made a public interest disclosure under the PID Act, are you confident that your career prospects would not be adversely affected?	6.0%	11.1%	16.6%	14.5%	15.4%	12.7%	23.7%

Comparison tables of inter-jurisdiction common question results

Human Resource Management	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
Your input is adequately sought and considered about decisions that directly affect you	1.0%	32.4%	36.2%	8.3%	12.6%	9.1%	0.5%
Recruitment and promotion decisions in this agency are fair	1.4%	18.5%	27.3%	16.9%	16.6%	11.3%	8.0%
Your immediate supervisor is effective in managing people	1.4%	35.4%	32.4%	9.6%	11.4%	8.9%	0.9%
You have confidence in the processes that your agency uses to resolve employee grievances	1.5%	12.9%	25.9%	21.0%	14.3%	15.5%	8.8%

Ethics	No Response	Yes	No	Not Sure			
During the last twelve months have you been subjected to bullying or harassment in your workplace?	2.8%	21.2%	68.2%	7.8%			
Ethics	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
Your agency actively encourages ethical behaviour by all of its employees	2.9%	40.4%	36.9%	9.3%	6.2%	2.7%	1.6%
Senior managers in your agency lead by example in ethical behaviour	3.1%	32.7%	33.4%	10.7%	11.2%	6.6%	2.2%
EEO and Diversity	No Response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
Your agency is committed to creating a diverse workforce (eg gender, age, cultural background, disability and Indigenous status)	13.0%	34.8%	32.4%	10.5%	3.9%	1.8%	3.6%
Your workplace culture supports people to achieve a suitable work/life balance	4.7%	34.9%	28.7%	10.8%	11.1%	6.8%	2.9%

OPSSC Employee Perceptions Survey results 2007-08 (PID Act) – Responses by managerial vs non-managerial responsibility

	Public Interest Disclosure Act 2003	Senior managerial responsibility				No senior managerial responsibility			
		No response	Yes	No, but know where to find out	No	No response	Yes	No, but know where to find out	No
PIDA1	Are you aware of the Public Interest Disclosure Act 2003 (The PID Act)?	0.8%	43.2%	25.4%	30.6%	0.7%	24.6%	25.6%	49.1%
PIDA2	Do you understand how to make a public interest disclosure?	1.4%	22.1%	40.5%	36.0%	1.0%	10.5%	32.2%	56.3%
PIDA3	Do you know who the public interest disclosure (PID) officer/s is/are in my agency?	1.1%	14.6%	35.6%	48.7%	0.8%	7.2%	25.6%	66.4%
	Public Interest Disclosure Act 2003	Senior managerial responsibility						Don't Know or Doesn't Apply	
		No response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly		
PIDA4	You would use the Public Interest Disclosure Act to make a disclosure to the PID officer if you were aware of improper conduct in my workplace	2.1%	25.5%	35.8%	14.3%	6.0%	3.5%		
PIDA5	If you made a public interest disclosure under the PID Act, are you confident that your identity would remain confidential?	1.1%	13.8%	22.1%	13.7%	19.0%	13.4%		
PIDA6	If you made a public interest disclosure under the PID Act, are you confident that you would not be subjected to victimisation or harassment?	1.5%	14.2%	22.3%	15.9%	16.4%	13.0%		
PIDA7	If you made a public interest disclosure under the PID Act, are you confident that your career prospects would not be adversely affected?	1.5%	13.2%	20.8%	15.8%	16.7%	14.5%		

No senior managerial responsibility								
	Public Interest Disclosure Act 2003	No response	Agree Strongly	Agree Somewhat	Neither Agree nor Disagree	Disagree Somewhat	Disagree Strongly	Don't Know or Doesn't Apply
PIDA4	You would use the Public Interest Disclosure Act to make a disclosure to the PID officer if you were aware of improper conduct in my workplace	2.1%	18.4%	32.2%	15.5%	5.2	3.3	23.4
PIDA5	If you made a public interest disclosure under the PID Act, are you confident that your identity would remain confidential?	1.3%	11.5%	18.2%	12.7%	17.8	11.8	26.7
PIDA6	If you made a public interest disclosure under the PID Act, are you confident that you would not be subjected to victimisation or harassment?	1.6%	12.2%	17.0%	15.3%	16.2	11.0	26.6
PIDA7	If you made a public interest disclosure under the PID Act, are you confident that your career prospects would not be adversely affected?	1.8%	11.1%	16.5%	15.1%	15.7	13.0	26.9

Appendix 7 - Public Sector agencies undertaking employee perceptions survey in 2007-08 by survey type and their respective response rates

Organisation (Sub organisation)	Surveys Distributed			Surveys Returned			Response Rate		
	Total	Hardcopy	Online	Total	Hardcopy	Online	Total	Hardcopy	Online
Dept of Sport and Recreation	291		291	75		75	25.8%		25.8%
Dept of Consumer and Employment Protection	941		941	451		451	47.9%		47.9%
WACHS - Wheatbelt	1,705	1,705		539	539		31.6%	31.6%	
WACHS - Kimberley	859	859		190	190		22.1%	22.1%	
Dept of the Attorney General	1,756		1,756	796		796	45.3%		45.3%
WACHS - Pilbara and Gascoyne	670	670		184	184		27.5%	27.5%	
Dept of Education and Training (Fremantle/Peel District)	6,380	220	6,160	1,590	134	1,456	24.9%	60.9%	23.6%
Dept of Corrective Services	3,490		3,490	1,214		1,214	34.8%		34.8%
West Coast TAFE	330		330	143		143	43.3%		43.3%
Dept of Education & Training (Central Office)	1,639		1,639	579		579	35.3%		35.3%
Dept of Environment and Conservation	2,138	469	1,663	785	82	703	36.7%	17.5%	42.3%
WorkCover WA	131		131	79		79	60.3%		60.3%
Office of the Public Sector Standards Commissioner	45		45	30		30	66.7%		66.7%
Total	20,375	3,923	16,446	6,655	1,129	5,526	32.7%	28.8%	33.6%

Note: Overall response rate is a weighted average.

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