

# Tabled Paper for Legislative Assembly Question on Notice 304

(e)

## COMMUNICATIONS AGREEMENT BETWEEN THE OFFICE OF THE MINISTER FOR MINES AND PETROLEUM AND THE DEPARTMENT OF MINES AND PETROLEUM

### BACKGROUND

In accordance with Section 74 of the Public Sector Management Act 1994, the following concerns the circumstances and manner in which communications (both written and verbal) shall be conducted between ministerial staff supporting the Minister for Mines and Petroleum and the employees of the Department of Mines and Petroleum (the Department).

All requirements from the Minister's office to the Department should be for, and on behalf of the Minister, in relation to his responsibilities as Minister for Mines and Petroleum.

It is important that the statutory obligations and responsibilities of the Department are preserved in all communication matters.

### Communication from the Office of the Minister to the Department

- **Requests for Briefing Notes**

Requests for briefing notes should be made in writing or by email to the Departmental Coordination Unit for allocation to an action officer.

The Director General will sign the briefing note for matters which are politically sensitive or of a strategic, budgetary, or policy nature. For all other matters, a Deputy Director General or Executive Director will sign.

Routine Ministerials should be allocated 10 working days to complete. Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister's office and the Departmental Coordination Unit.

- **Routine Requests for Information or Research**

Routine requests for information or research should be directed through the Departmental Coordination Unit. The request will be dealt with within the Department at Executive Director level or higher in the first instance, to ensure that the information requested is actioned by the most appropriate officer/s within the organisation. An Executive Director may, as he/she determines, nominate a General Manager to deal directly with the Minister's office staff on specific project matters.

- **Requesting a Departmental Representative to attend a Ministerial Meeting**

All matters of a strategic, budgetary or policy nature are to be referred through the Director General in the first instance. For other matters, the appropriate Deputy Director General or Director may be approached directly.



- **Matters Relating to the Drafting of Legislation**

For each piece of legislation, a Drafting Officer will be nominated by the Department.

The Officer will be responsible for dealing with all matters associated with the legislation and for keeping the Director General informed of developments.

- **Requirements Involving the Department in Committing Resources (Beyond the Normal Functions and Duties of the Department's Officers)**

All such requests should be directed to the Director General in writing (email). If prior notification is not possible, the Director General must be informed the same day by email.

### **Communications from the Department to the Office of the Minister**

- **Non-Routine Communications**

Non-routine communications relating to administrative issues should be directed through the Executive Officer in the Minister's office. Non-routine communications relating to policy issues should be directed through the Minister's Chief of Staff or his/her nominated Policy Officers.

- **Communications from the Department to the Office of a Minister Responsible for an External Department Related Portfolio**

All communication between the Department and an external Minister's office, which may impact on the Mines and Petroleum portfolio, shall be directed through the Minister.

- **Cabinet Matters**

All submissions for consideration by Cabinet are to be directed through the Minister. The Director General will sign all Cabinet Comments unless time constraints prevent this; in which case, a Deputy Director General or Executive Director will sign.

- **Executive Council Matters**

All Executive Council matters shall be directed through the Minister by the Director General.

- **Parliamentary Questions**

All requests for suggested responses to Parliamentary Questions should be directed to the Departmental Coordination Unit for allocation and action.

The Director General will sign all Parliamentary Questions unless time constraints do not permit this, in which case a Deputy Director General or Executive Director will sign.



- **Resolution Procedure for a Breach of these Arrangements**

In the first instance, the Minister or his Chief of Staff and the Director General will discuss the breach and decide on any further action.

- **Directions by Staff of the Office of the Minister to the Department Staff**

In circumstances where it appears desirable that a staff member from the Minister's office gives direction to a Department officer about the manner in which he/she is to perform a function, the concurrence of the Director General will be sought in advance.

- **Placements and Secondments**

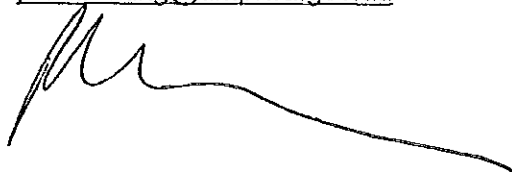
An officer placed in the Minister's office to provide a departmental viewpoint on a specified range of issues remains under the direction of the Chief of Staff. An officer seconded to the Office of the Minister is, for the period of the secondment, under the direction of the Minister.

- **Departmental Coordination Unit Contacts**

Manager, Ministerial Coordination - Jan Hartley: 9222 0432  
[jan.hartley@dmp.wa.gov.au](mailto:jan.hartley@dmp.wa.gov.au)

Ministerial and Project Officer - Fiona Suttie: 9222 3053  
[fiona.suttie@dmp.wa.gov.au](mailto:fiona.suttie@dmp.wa.gov.au)

Ministerial Liaison Officer - Julie Banting: 9222 0949  
[julie.banting@dmp.wa.gov.au](mailto:julie.banting@dmp.wa.gov.au)



RICHARD SELLERS  
DIRECTOR GENERAL  
DEPARTMENT OF MINES AND PETROLEUM

10 April 2013



HON BILL MARMION MLA  
MINISTER FOR MINES AND PETROLEUM; HOUSING

Date.....3/4/2013.....



# Tabled Paper for Legislative Assembly Question on Notice 304



(e)

Government of Western Australia  
Department of Housing

## ARRANGEMENTS FOR COMMUNICATIONS AND DEALINGS BETWEEN:

MINISTER FOR HOUSING AND MINISTER'S OFFICE  
and  
DEPARTMENT OF HOUSING/HOUSING AUTHORITY

### 1 BASIS FOR COMMUNICATION

This agreement is made in accordance with Section 74 of the *Public Sector Management Act 1994* and guidelines of the Department of the Premier and Cabinet.

The agreement concerns the circumstances and manner in which communications (both written and verbal) and any dealings between Ministerial staff supporting the Minister for Housing and employees of the Department of Housing will occur. The intention of this agreement is to ensure that statutory obligations and responsibilities are preserved, and that lines of accountability and responsibility are clear.

### 2 SCOPE OF AGREEMENT

Via appointments made under the *Public Sector Management Act 1994*, the positions of Chief Executive Officer of the Housing Authority and the Director General of the Department of Housing are held by one and the same person. For the purposes of this agreement, the Department of Housing and the Housing Authority are considered to be one and the same entity and employing authority.

This arrangement operates in the context of provisions in the *Housing Act 1980*, including the ability of the Minister to give directions to the Housing Authority (section 11A) and to have access to information in the possession of the Authority (section 11B).

The agreement extends to include communications and dealings between the Ministerial staff and employees of Keystart and the Country Housing Authority.

### 3 BASIS OF REQUESTS

All such communications and dealings are for and on behalf of the Minister in relation to the Housing portfolio responsibilities.

Should this not be the case, the Ministerial officer must expressly make this clear at the time of the request.

#### **4 DIRECTIONS BY MINISTERIAL OFFICE STAFF TO DEPARTMENT EMPLOYEES**

Section 74 states that a Ministerial officer shall not instruct Department employees on how to carry out their functions, other than with the agreement of the employing authority.

In exceptional circumstances where it appears desirable that Ministerial office staff give direction to an officer of the Department, this will require written agreement of the employing authority.

Any concerns regarding the performance of staff of the Department are to be related to the Director General or the Director General's nominee in writing giving details of concerns.

#### **5 MINISTERIAL OFFICE COMMUNICATIONS TO DEPARTMENT OF HOUSING**

Communication requirements should be categorised and dealt with as follows:

##### **i. Routine Requests for Information or Research**

To be directed through the Director General or the Director General's nominee.

##### **ii. Meetings and Attendance of Department of Housing Staff at Meetings**

Requests for Department staff to attend meetings of a "strategic" nature are to be made through the Director General or the Director General's nominee.

##### **iii. Ministerial Correspondence**

Ministerial correspondence includes:

- correspondence from the Minister's office requiring response
- requests for briefing notes
- responses to Parliamentary Questions
- comments on Cabinet Submissions
- submissions to Parliament.

All correspondence must be conveyed through the Director General or the Director General's nominee:

Ms Natasha Firth  
Manager Office of the Director General  
Telephone: 9440 2358  
natasha.firth@housing.wa.gov.au

##### **iv. Requests for Information or Advice**

The Minister is entitled to receive full, accurate, consistent and timely information and advice on matters relevant to the Department. Requests for



information, advice or comment are to go through the Director General or the Director General's nominee.

**v. Cabinet matters**

All communications relating to matters requiring consideration or approval by Cabinet or a committee of Cabinet must be directed through the Director General or the Director General's nominee and the Minister's office prior to submission to Cabinet or a committee of Cabinet.

Where the Department is developing a submission in conjunction with other agencies, interaction between senior agency officers is appropriate, provided high degrees of confidentiality and discretion are maintained.

The transmittal log should be attached to all Cabinet documents at the point of initiation and signed when passed between officers and/or offices in accordance with the accepted practice and guidelines. All Cabinet papers are to be transferred under confidential cover.

**vi. Matters Relating to Drafting Legislation**

All matters pertaining to the development of legislation must be directed through the Director General or the Director General's nominee.

**vii. Communications from Department of Housing to the Minister's Office**

It is the Director General's responsibility to specify how this will occur.

All communications should specify whether the Director General endorses the response. It is the responsibility of the officer making the communication to ensure that the Director General is aware of the response provided and consulted on contentious or sensitive matters. As a matter of general principle, all communications not signed off by the Director General should be approved by a member of the Corporate Executive or other specified officers.

**viii. Communication from Department of Housing to Another Minister's Portfolio**

All communications between the Department and another Minister's office will be answered direct through the office of the Minister for Housing.

Communications between the Minister's office and an agency within another Minister's portfolio should be directed back through the Minister's office.

**ix. Communications Between Department of Housing and Members of Parliament**

- This agreement recognises that the Department receives through its branch and regional offices a high frequency and volume of enquires from

Members of Parliament or their electorate staff concerning the provision of housing to constituents in a Member's electorate.

- Senior officers within a branch or regional office have the discretion to communicate directly with a Member or their electorate staff regarding routine and low-level operational matters relating to the provision of housing to a constituent in the Member's electorate. Other requests for communication from a Member to a branch or regional office are to be referred to the Office of the Director General.
- Details of communications of a sensitive nature and/or that do not concern routine and low-level operational matters relating to the provision of housing to a constituent in the Member's electorate will be provided to the Minister's office via the Office of the Director General.
- Department officers are to advise the Office of the Director General in advance regarding any organised visits to regional offices by Members of Parliament and/or requests for briefings. All briefings are to be conducted with a Ministerial officer present, unless the Minister or Minister's Chief of Staff agrees otherwise.
- All written communications between the Department and Members of Parliament that do not concern routine or low-level operational matters relating to the provision of housing to a constituent in the Member's electorate are to be conveyed through the Minister's office unless the Minister or the Minister's Chief of Staff agrees otherwise.

#### **x. Requests Involving Significant Commitment of Resources**

Requests involving the commitment of resources beyond the normal functions and duties of Department are to be made to the Director General or the Director General's nominee.

### **6 Media**

All communications between the Department and the media are the responsibility of the Director General or the delegated officers.

The Ministerial Media Adviser is to be notified of inwards contact from the media, and kept informed of any proactive matters initiated by the Department. The Ministerial Media Adviser may direct the Department as to how to deal with a media enquiry.

The Ministerial Media Adviser may request the Department to prepare a draft media response for a media enquiry received by the Minister's office and for use by the Minister.

The Marketing and Communications Manager can authorise Communications Officers to liaise with Ministerial staff on issues relating to media activity.

The Department's principal media liaison officer, or other Communications staff, will ensure that the Office of the Director General is kept informed of all incoming media related enquiries, and relevant developments.

**7 Secondments/Placements**

An officer of the Department who is placed in the Minister's office to provide a departmental viewpoint on a specified range of issues remains under the direction of the Director General.

An officer of the Department who is seconded to the Minister's office is, for the period of the secondment, under the direction of the Minister.

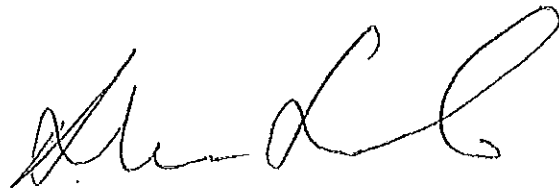
**8 Resolution Procedure for a Breach of Guidelines**

The Director General or the Director General's nominee should discuss the breach with the Minister or the Minister's Chief of Staff (or vice-versa, if appropriate) in order to resolve the situation.



HON BILL MARMION MLA  
MINISTER FOR MINES AND PETROLEUM; HOUSING

10 APR 2013



GRAHAME SEARLE  
DIRECTOR GENERAL, DEPARTMENT OF HOUSING  
CHIEF EXECUTIVE OFFICER, HOUSING AUTHORITY

