



Public Accounts Committee

Inquiry into Amendments to the *Public Sector Management Act 1994* (WA)

Further Information

Background to Inquiry

The Public Accounts Committee has considered the issues raised by Hon. Chief Justice Wayne Martin, AC, in his Whitmore Lecture of 1 August 2013, particularly those which questioned the level of transparency and accountability now applicable to a number of the state's statutory office holders, including the Public Sector Commissioner.

Amendments to the *Public Sector Management Act 1994* (WA) (PSM Act), assented to on 1 October 2010, provided for the creation of a 'new, independent statutory office of the Public Sector Commissioner, having overall responsibility for matters of efficiency and effectiveness in the public sector and for the maintenance of minimum standards of behaviour and integrity of public sector employing authorities and employees'¹.

The establishment of the Public Sector Commissioner (the Commissioner) was seen by the Government as 'an important first step in enhancing the independence, professionalism and integrity of Western Australia's public service'².

Scope of Inquiry

The Committee has called this Inquiry to examine aspects of the PSM Act in light of the powers and functions that have been vested with the Commissioner. The Committee will examine the accountability and reporting measures applicable to the Commissioner in the discharge of the duties listed in the Terms of Reference.

The Committee will also focus on the operational mechanisms that have manifested under these reforms. Of particular interest are the respective roles of, and interactions between, the Commissioner, relevant Ministers, and departmental Chief Executive Officers (CEOs). How have the amendments to the PSM Act altered the relations between these parties in the areas listed in the Terms of Reference? To what extent does the Act promote a public sector that is designed to achieve a balance between operational independence and responsiveness to the policy agenda of an elected government?

In conducting this Inquiry, the Committee may look at recent examples relating to the appointment and management of CEOs, as well as the manner in which reviews and special inquiries are initiated. The Committee's main interest in this respect is not to critique the actions or decisions of the Commissioner, but to gain a greater understanding of the relative role that the office of Commissioner now plays as a result of the changes to the Act.

¹ Explanatory Memorandum, 'Public Sector Reform Bill 2009 (WA)'.

² Hon. Colin Barnett, MLA, Western Australia, Legislative Assembly, *Parliamentary Debates* (Hansard), 25 November 2009, pp. 9769-9770.