



# Annual Report 2021-2022

Department of the Legislative Council



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## OUR MISSION

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To pursue excellence in supporting the Legislative Council.

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## OUR VALUES

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### **Independence**

To provide services in an objective, diligent and impartial manner.

### **Integrity**

To be accountable and act in a professional, honest, ethical and equitable manner.

### **Improvement**

To improve the quality of services by exploring new ideas and opportunities.

### **Respect**

To promote a fair workplace that encourages contributions and values diversity.

### **Co-operation**

To co-operate with, support and assist colleagues.

### **ACCOUNTABLE AUTHORITY**

Clerk of the Legislative Council

Sam Hastings

### **PRESIDING OFFICER**

President of the Legislative Council

Hon Alanna Clohesy MLC

### **LOCATION**

Parliament House

4 Harvest Terrace

WEST PERTH WA 6005

### **CONTACT**

Telephone: (08) 9222 7466

Email: [council@parliament.wa.gov.au](mailto:council@parliament.wa.gov.au)

Web: [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au)

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## MESSAGE FROM THE PRESIDENT

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It is an honour to provide this message as we reach the end of my first full year as President of the Legislative Council. While much of the year has been 'steady as she goes' there has also been new matters to address and some challenges along the way. The success of the year is testament to the hard work and commitment of Members and Staff of the Council and the Parliament.

During the reporting period we have seen the 17 new Members of the Legislative Council, elected at the March 2021 state general election become inducted and commence their contributions to the work of the Legislative Council both in the Chamber and for Committees.

Due to a recent change in political party affiliation, the composition of the Legislative Council now stands at: Australian Labor Party (22), Liberal Party (7), The Nationals WA (2), Greens (WA) (1), Legalise Cannabis Western Australia Party (2), Daylight Saving Party (WA) (1), and Independent (1).



### **Council work**

The workload of the Legislative Council remains significant. The total number of hours of meeting was 413 hours compared to 318 hours in the previous reporting period.

There have been 44 Bills passed (26 in the previous reporting period), and at the end of the reporting period 13 Bills remain on the Notice Paper.

Legislative Council Committee work has continued, mostly remotely with online meetings and hearings. There have been 27 committee reports tabled (28 in previous reporting period) and 6 inquiries ongoing and yet to report. For more information about committee activities see Chapter 2 Performance of the Department.

### **Joint sittings**

During the reporting period, two joint sittings of the Legislative Council and Legislative Assembly took place to choose a person to fill the vacancy in the representation of Western Australia in the Senate of the Federal Parliament.

The first on Tuesday, 14 September 2021 was held to fill the vacancy created by the resignation of Senator Rachel Siewert. Ms Dorinda Cox was chosen at the joint sitting to fill the vacancy. I congratulate Senator Cox, who is the first Aboriginal woman from Western Australia to hold a seat in the Australian Senate, on her election to the Senate.

The second joint sitting was held on Wednesday, 18 May 2022 to fill the vacancy caused by the resignation of Senator Ben Small. Senator Small resigned over a citizenship matter that was resolved and he was again chosen at the joint sitting to represent Western Australia in the Senate of the Federal Parliament.

### **Modernisation of the Legislative Council**

The Council directed the Procedures and Privileges Committee (PPC) to undertake a review of its Standing Orders with a view to modernisation and best practice. In September 2021 the PPC recommended a range of changes including to sitting times, community engagement (e-petitions) and ways to better balance legislative scrutiny and legislative flow. All of the recommendations were adopted by the Council. These recommendations were implemented, and further review of the Standing Orders is ongoing. I sincerely thank the members and staff of the PPC for their work. I also

thank the Deputy President and Deputy Chairs for their attention to the implementation of the detail of the new Standing Orders. For more information, see Chapter 2 Performance of the Department, Standing Orders amendments

### **Commonwealth Parliamentary Association**

The Parliament of Western Australia was very pleased to host the 39th CPA Australia and Pacific Regional Conference in November 2021. The Conference was conducted in person and online. It brought together significant contributors from across the Commonwealth. As the secretariat of the WA Branch of the CPA, the Legislative Council played a key role in the development and production of the conference which was very successful. Our thanks to the CPA Secretariat, the many Legislative Council and Parliament staff and all the contributors.

### **The pandemic**

The COVID pandemic continued to provide operational challenges for the Legislative Council and the Parliament in general. We were grateful for advice from the Chief Health Officer and were able to enact a number of restrictions that allowed the Council to continue to meet and conduct its business. The Council sittings were held within strict public health guidelines and Committee operations were largely conducted online.

### **Visitors to the Parliament**

The pandemic caused a temporary halt to visits to and from international and national delegations to the Parliament. However, it was a pleasure to recommence this component of the role which is reported on in Appendix 5 in this report.

### **Staffing**

In March we farewelled our long-standing Clerk, Mr Nigel Pratt. Mr Pratt made a significant contribution to the work of the Council and the Parliament as a whole. I officially acknowledged Mr Pratt for his dedication and commitment in a statement to the Parliament.

Following an extensive recruitment process, I was pleased to recommend to His Excellency the Governor that Mr Sam Hastings be appointed as Clerk of the Parliaments and Clerk of the Legislative Council. His Excellency accepted the recommendation and Mr Hastings commenced in the role in April. Mr Hastings brings a wealth of management and procedural experience to the role.

The Legislative Council has a team of talented and committed staff without whom the important work we undertake would not be possible. Thank you to all the staff for their important contribution to the work of our Parliament.

### **Conclusion**

The 2021-2022 reporting period has been a year like no other, particularly as we contended with the challenges provided by the pandemic and many other changes. This report highlights the high standards that have been maintained and the important outcomes achieved. I commend the work of the Legislative Council and this report to you.



Hon Alanna Clohesy

**President of the Legislative Council**

**29 November 2022**

# FOREWORD

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## Letter of transmittal



Hon Alanna Clohesy  
President of the Legislative Council  
Parliament House  
4 Harvest Terrace  
WEST PERTH WA 6005

Dear President

I have a great sense of pride in submitting to you, for presentation to the House, the Annual Report on the operations of the Department of the Legislative Council for the period 1 July 2021 to 30 June 2022.

The report addresses matters arising from the Clerk's powers, duties and functions as the Accountable Authority under the *Financial Management Act 2006*, as well as matters pertaining to the operations and achievements of the Department, the Chamber and its committees.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Sam Hastings", is written over the words "Yours sincerely".

Sam Hastings  
**Clerk of the Legislative Council and Clerk of the Parliaments**  
29 November 2022

## **Clerk's message**

I am pleased to present the Annual Report of the Department of the Legislative Council for the financial year 2021-22.

### **Performance of the Department**

This reporting period presented some unique challenges to the Department, its activities and its people. Despite the challenges presented by the pandemic the Department had considerable success in meeting its performance objectives with the average rating from Members on the Department's performance increasing in 75% of categories with negligible changes in the remainder.

The Department's staff showed great resilience and adaptability during the first half of 2022 as they explored new ways of working to support the Chamber and committees. During these months committee activity moved almost wholly online. The Chamber was supported by around 60% of the usual workforce being on-site with 40% of the workforce working from home. These arrangements and the Department's outstanding results would have not been possible without a dedicated and professional workforce for which the people of Western Australia should be very grateful.

### **Procedural changes**

The Legislative Council agreed to a range of procedural changes during the reporting period.

In September 2021 the Council agreed to 38 recommendations from the Procedure and Privileges Committee to amend the Standing Orders. These changes to the Standing Orders modernised certain procedures, enshrined existing practices and improved the operation of some longstanding Standing Orders.

The Department acknowledges the contribution from Parliament's Information Technology Unit for its assistance in building and testing the e-petitions system.

The Council also agreed to a range of procedural and other measures to address the challenges presented by COVID-19. Many of the measures that were put in place were similar to those that were implemented in 2020 including social distancing, Members speaking from a place other than their own and alternative methods for voting during divisions. The Council also passed a number of motions concerning vaccination requirements for Members.

### **Finalisation of legal proceedings**

This reporting period saw the conclusion to legal proceedings before the Supreme Court of Western Australia concerning the extent of the powers of investigative agencies to obtain and use materials that may be subject to parliamentary privilege.<sup>1</sup>

Following the court's decision, the President of the Legislative Council entered into memoranda of understanding with the Western Australia Police Force and the Corruption and Crime Commission to set out a series of protocols for the handling of material that may be subject to parliamentary privilege.

### **Cross-parliamentary cooperation**

During the reporting period the Department of the Legislative Council, the Department of the Legislative Assembly and the Parliamentary Services Department worked closely together on a range of initiatives to improve outcomes for Parliament's stakeholders.

The most significant initiative during this period was the establishment of an external IT Review to capture the strengths and weaknesses of the Parliament's IT framework and systems and opportunities to better use IT to support the Parliament's important work. This comprehensive

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<sup>1</sup> *The President of the Legislative Council of Western Australia v Corruption and Crime Commission* [2020] WASC 397.



review was submitted to the three Heads of Department at the very end of the reporting period and further information on its implementation will be available in future annual reports.

I would like to express my thanks to my colleagues from the other parliamentary departments, Ms Kirsten Robinson, Clerk of the Legislative Assembly and Mr Rob Hunter, Executive Manager Parliamentary Services for their support and encouragement for me as I commenced my tenure as Clerk. I look forward to closer cooperation in coming years with the other parliamentary departments to achieve mutually beneficial objectives.

### **Retirement of Mr Nigel Pratt**

I am conscious that most of the achievements set out in this report occurred during the tenure of my predecessor Mr Nigel Pratt. Mr Pratt served the Legislative Council of Western Australia for over 16 years, including eight years as Clerk of the Legislative Council and Clerk of the Parliaments. During his tenure Mr Pratt oversaw significant technological and procedural developments for the Legislative Council including the Questions on Notice portal, the LC Papers app, the e-petitions portal, the capacity for parliamentary committees to live-stream their proceedings online and overseeing many changes to the Council's procedures. I thank Mr Pratt for his service to the Council and the Parliament.

### **Acknowledgements**

Finally, I would like to acknowledge and thank the members of the Department's Executive Management Team for their support in managing the Department's strategic direction and delivery of our key services during the reporting period.



Sam Hastings

**Clerk of the Legislative Council and Clerk of the Parliaments**  
**29 November 2022**



# CHAPTER 1

## Overview of the Department

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### Operational structure

The Department is one of three departments that serve the Parliament of Western Australia, and is accountable under the provisions of the *Financial Management Act 2006*. The Department is not a department or agency of the Crown under the *Public Sector Management Act 1994*. This is reflective of the long established and necessary independence of Parliament from the Executive.

The Department is not the same as the Legislative Council (Council). The latter refers to the elected members of that body.

### Our business

The role of the Department is to provide services to the 36 elected members of the Council to assist them in performing their legislative and constituency responsibilities irrespective of their political affiliation.<sup>2</sup> The Department's published desired outcome is that 'The Legislative Council Members' requirements are met', and its two services are to:

- support the chamber operations of the Legislative Council; and
- support the committees of the Legislative Council.

### Our mission and values

The Department's mission and value statements are:

#### *Our mission*

To pursue excellence in supporting the Legislative Council.

#### *Our values*

##### ***Independence***

To provide services in an objective, diligent and impartial manner.

##### ***Integrity***

To be accountable and act in a professional, honest, ethical and equitable manner.

##### ***Improvement***

To improve the quality of services by exploring new ideas and opportunities.

##### ***Respect***

To promote a fair workplace that encourages contributions and values diversity.

##### ***Co-operation***

To co-operate with, support and assist colleagues.

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<sup>2</sup> See Appendix 1 for a list of the members of the 41<sup>st</sup> Parliament.

## Functional areas of the Department

The Department has four functional areas: Executive Services, Procedural Services, Committee Services and Administrative Services. The primary goals of these four functional areas are:

Executive Services	To provide high quality executive leadership and strategic management to the Department of the Legislative Council.
Procedural Services	To deliver comprehensive, accurate and timely advice, training and support in relation to parliamentary procedure, practice and privilege to the Legislative Council, its members and committees.
Committee Services	To provide high quality and pro-active advice, research, report writing, administrative and executive services to parliamentary committees which are served by the Department of the Legislative Council.
Administrative Services	To provide efficient, structured and systematic administrative services to support the operations of the Department of the Legislative Council and the Legislative Council, its members and committees.

## Management structure

### *President*

The President is the political head of the Department. Together with the Speaker of the Legislative Assembly, the President is responsible for the overall management of the Parliament. In relation to the Department, the President approves major policy and is the employer of staff (acting on the advice of the Clerk).

### *Clerk*

The Clerk, as Chief Executive Officer, is the administrative head of the Department and has overall responsibility for the executive management of the Department, including financing, staffing and administration. The Clerk is the accountable authority under the *Financial Management Act 2006*.

The Clerk is responsible for the provision of advice regarding parliamentary law, practice and procedure to members and the committees of the Legislative Council.

The Clerk of the Legislative Council is also the Clerk of the Parliaments. In this role, the Clerk is responsible for preparing and certifying Bills that have been passed by Parliament for Royal Assent.

### *Deputy Clerk*

The Deputy Clerk's role is to manage the day-to-day operations of the Department. The Deputy Clerk reports directly to the Clerk.

### *Clerk Assistant (House) and Clerk Assistant (Committees)*

The Clerk Assistants report to the Deputy Clerk, and have operational management of the House and Committee Office respectively.

The organisational chart is available at Appendix 2.

## **Executive Management Team**

The Executive Management Team (EMT) comprises the Clerk, Deputy Clerk, Clerks Assistant and the Usher of the Black Rod. The functions of the EMT are detailed in Appendix 3.

## **Interdepartmental co-operation**

Council officers are actively involved in a number of interdepartmental committees that help to foster communication and co-operation, which assists significantly in the better functioning of the Parliament. Some of the primary interdepartmental committees are listed below.

### **Management Executive Committee**

The operations of Parliament House are managed by a Management Executive Committee (MEC) comprising:

- the President and Speaker;
- the Clerks of both Houses; and
- the Executive Manager, Parliamentary Services Department (PSD).

The MEC determines 'whole of Parliament' policies, and meets to discuss, plan, authorise and oversee major projects for the Parliament.

### **Heads of Department**

The Heads of Department (HoDs) comprise the Clerks of both Houses and the Executive Manager, PSD. The HoDs regularly meet to discuss issues such as service delivery and matters to be placed before the MEC for consideration.

### **Risk Management Committee**

The Risk Management Committee is responsible, in accordance with the approved terms of reference, for development and communication of risk management policy, procedures, training, implementation and reporting across the three parliamentary departments.

### **Audit Committee**

The Audit Committee assists the HoDs in fulfilling their oversight responsibilities in relation to systems of risk management and internal control, the parliamentary departments' processes for monitoring compliance with laws and regulations, including the code of conduct, financial and performance reporting and external and internal audit.

The committee comprises two independent members – an Audit Chair (Chair) and a Chief Audit Executive (CAE), who are appointed by the Heads of Department jointly, and a representative from each of the parliamentary departments. To maintain a level of independence the parliamentary representatives do not include senior management such as the Heads of Departments (Accountable Authorities).

Formation of the Audit Committee in accordance with Treasurer's Instructions began in the 2020-2021 financial year, and it has now completed its first full year of operation.

### **Joint Consultative Committee**

The Council participates in the Joint Consultative Committee (JCC). The JCC is an employee/management forum to consider issues affecting the workplace and performance and make recommendations to the HoDs and the MEC.

### **Information Management Committee**

The heads of each Department have jointly appointed an Information Management Committee to facilitate and coordinate effective management of business information for the Parliament as a whole and for each department individually. The committee provides advice and recommendations to the HoDs relating to information management practices, the Parliament's records and archives, and policy and procedure that reflects best practice in compliance with the *State Records Act 2000*.

### **Other interdepartmental committees**

The Council supports and participates on other interdepartmental committees including the:

- Parliamentary History Advisory Committee;
- Parliamentary Art Advisory Committee, and
- Parliamentary Education and Community Relations Committee.

These committees provide advice and feedback to the presiding officers on all matters pertaining to the history of the Parliament and its members and operations, the historical projects undertaken by the parliamentary departments, and the education and community engagement activities of the Parliament.

# CHAPTER 2

## Performance of the Department

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### Introduction

The Department's key performance objectives for each functional area are as follows:

#### Executive Services

- Strategically manage the operations of the Department in consultation with the President and members of the Legislative Council, Departmental staff and other stakeholders.
- Recruit, develop and support staff to deliver professional services to the Legislative Council, its committees and members.
- Provide executive support to the President and the Clerk.
- Manage the finances of the Department in accordance with statutory and Departmental requirements.
- Maintain risk management and business continuity planning to facilitate the ongoing operation of the House and its committees.
- Develop and implement strategies to maximise public awareness of the activities of the Legislative Council and its committees.
- Foster and maintain good relationships with external bodies and stakeholders.
- Provide and maintain appropriate accommodation and facilities for the Legislative Council, its members and committees.

#### Procedural Services

- Facilitate the efficient conduct of House business through the provision of timely and expert advice, production of contemporary Chamber documents and provision of legislative drafting services.
- Maintain a high level of Departmental expertise in relation to parliamentary procedure, practice and privilege.
- Maintain relevant reference information and an awareness of procedural developments in other jurisdictions, to ensure delivery of high quality support in relation to parliamentary procedure, practice and privilege.
- Deliver and facilitate training to members of the Legislative Council, Departmental staff and other stakeholders on parliamentary procedure, practice and privilege.
- Facilitate the provision of feedback concerning Departmental service delivery and parliamentary training requirements from members of the Legislative Council.

#### Committee Services

- Maintain and provide a high level of research and analytical capacity to support committees.
- Maintain a high level of Departmental expertise in relation to committee inquiry procedures and investigative methodologies.
- Provide pro-active advice, including legal advice, to committees.

- Deliver and facilitate training to members of the Legislative Council on committee procedures and practices.
- Provide efficient and pro-active administrative support to committees.
- Produce informative, highly readable reports.
- Promote committee engagement with relevant stakeholder groups.

### **Administrative Services**

- Provide efficient and pro-active administrative support to the Legislative Council during sittings of the House.
- Ensure effective and professional publication of information by the Department.
- Maintain the records of the Department in accordance with statutory and Departmental requirements.
- Preserve the heritage and historical assets of the Legislative Council and its precincts.
- Organise and conduct special events.
- Provide a secure environment for the activities of the Legislative Council and its committees.

For each functional area, a range of work was undertaken and achievements made during the reporting period. The significant activities in these areas are detailed below.

## **Executive Services**

### **Strategic management**

The Department reviews and updates its Strategic Plan and Business Plan and sets new objectives annually. This reporting period, the EMT commenced a strategic planning assessment to review and modernise the Department's planning and key goal and objectives setting.

The 2022-23 strategic and business planning will be informed by this process, and will be published in the Department's next annual report.

### **Risk management and business continuity**

#### *Risk management*

The Department manages its identified business risks in accordance with the Parliament's Risk Management Guidelines. Responsibility for the management of each of the identified risks is assigned to the functional area managers. Automated risk management processes are implemented through the Parliament's risk management and governance tool Risk Wizard.<sup>3</sup>

During the reporting period the Department's risk owners reviewed their assigned risks in accordance with the schedule outlined in the risk management guidelines.

The Department's control framework is well positioned and comprised to provide effective guidance in identifying, understanding, assessing and responding to risks. The Department continues to manage its obligation to assess and track the treatment of its identified risks.

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<sup>3</sup> Risk Wizard is a web based governance, risk, compliance and incident system tool that allows the Department to assess and manage its business risks.



### *Business Continuity Plan*

The Deputy Clerk and the Usher of the Black Rod periodically review and update the Department's Business Continuity Plan (BCP), along with scenarios requiring the activation of the BCP to review its efficacy. The testing of the BCP provides valuable feedback and enables the Department to continually improve on its ability to provide business continuity in the event of a major crisis. The management of the BCP remains an ongoing priority for the Department.

### **Professional development**

Professional development for staff remains an ongoing priority for the Department as one of its strategic objectives is to maintain a high level of expertise in parliamentary procedure, practice and parliamentary privilege.

The Department undertakes procedural debriefs for Chamber staff, a dedicated program to develop staff to serve at the table of the House and whole of Department professional development opportunities recognised by the Legal Practice Board. The Department has continued to actively provide external professional development opportunities through professional associations and training providers.

### **Community engagement and public awareness**

#### *Community engagement*

Community engagement and public awareness is a significant priority for the Department. The Department, in co-operation with the other Parliamentary Departments, is actively engaged in community events which aim to promote the historical, social, cultural and political significance of the Parliament of Western Australia.

#### *Social networking*

During the reporting period, the Department continued its presence on social networking sites. Since May 2010, the Department has maintained accounts on Twitter and Facebook. Recognising the significant potential to grow its social media presence, the Department developed a social media strategy to provide a framework for engaging on social media platforms. This strategy increases engagement with stakeholders and the public, provides important education about the Legislative Council's role as the House of Review, communicates upcoming key events, public opportunities and deadlines and conveys information in a timely and engaging manner.

As at 30 June 2022, the Department had 1898 followers on Twitter, and had 1635 Facebook likes during the reporting period.

#### *E-Petitions*

In September 2021 the Legislative Council adopted a Temporary Order trialling an e-petitions procedure for the period 1 January 2022 to 31 March 2023.<sup>4</sup> The e-petitions initiative arose from separate inquiries by both the Environment and Public Affairs Committee and the Procedure and Privileges Committee over the last decade.

The e-petitions process was designed to provide a mechanism allowing petitioners to 'share' their petitions via email and social media to reach signatories from a broad cross-section of the Western Australian community. Since the commencement of the trial in January 2022, the public's engagement with the e-petitions process and the Legislative Council has seen four e-petitions presented containing 11,231 signatories. In the corresponding period nine traditional paper

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<sup>4</sup> Procedure and Privileges Committee, report 64, *Review of the Standing Orders*, Western Australia, Legislative Council, 2/09/2021, pp 25-8.

petitions were presented to the Legislative Council containing 5,660 signatures – approximately half the number of signatures gained through the e-petitions process.

The Department will continue to explore the opportunity the e-petition process provides for participation in the democratic process.

### **Human Resources**

As at 30 June 2022, the Department consisted of 30 Full Time Equivalent positions (FTEs) comprising 32 staff. A profile of the Department's human resources for the reporting period, including a breakdown of staff numbers and movements, is available at Appendix 9.

### **External relationships**

The fostering of relationships with external bodies is an important aspect of the Department's operations. In particular, the President receives a number of delegations and dignitaries during the course of the year (see Appendix 5). Senior staff of the Department also meet with key agencies within Government with a close connection to the parliamentary process such as the Parliamentary Counsel's Office and the Department of the Premier and Cabinet.

### **Procedural Services**

The Procedure Office is responsible for the delivery of comprehensive, accurate and timely advice, training and support in relation to parliamentary procedure, practice and privilege to the Legislative Council, its Members and committees.

### **Procedural arrangements and COVID-19**

The COVID-19 pandemic continued to present procedural and practical challenges to the Procedure Office and sittings of the Council during the reporting period.

In February 2022 the Council returned from the summer recess and commenced the year's sittings with the varied meeting arrangements from the previous year. The arrangements sought to minimise the risk of COVID-19 transmission and protect Members, parliamentary staff and visitors, and continued in place until the end of the reporting period.

#### *Vaccination of Members and Staff*

On 20 October 2021 the Chief Health Officer published health advice regarding mandatory COVID-19 vaccinations. The advice required certain groups, including Members of Parliament and their staff, to be fully COVID vaccinated in order to attend the Parliament.

To give effect to the mandatory vaccination orders, the Legislative Council passed an Order requiring Members to provide proof of their COVID-19 vaccine doses and boosters, or proof of a valid exemption, to the Clerk. In the event of a lockdown or similar restrictions, any non-compliant Member would be subject to an automatic suspension from the Chamber, Parliament House and the Committee Office.

A further motion agreed to on 15 February 2022 updated the Order by requiring Members to provide proof of their COVID-19 vaccination status, or proof of a valid exemption, by 6 May 2022. This order did not require a lockdown to be in place to trigger a suspension for non-compliance and one Member of the Legislative Council was immediately suspended.

The Member's suspension was a physical suspension only, and was imposed under the Council's general penalty powers under s. 1 of the *Parliamentary Privileges Act 1891*. The suspension barred the Member from 'attending' various rooms and buildings at the Parliament, however, did not suspend the Member from their service to the Council or result in an unauthorised absence that would otherwise be considered a contempt of the House. The Member's suspension was lifted on 6 May 2022.

### *Remote meeting of the Council*

In the 2021 summer recess the Procedure Office researched, collated and tested a number of procedural developments from the other Australian jurisdictions relating to a selected range of potential temporary procedures to facilitate a remote meeting of the Legislative Council. In the event that the pandemic worsened and Members were unable to attend parliament and conduct business within the Chamber proper, the testing provided the Department with a measure of preparedness to facilitate a 'remote parliament' if required for the commencement of the 2022 sittings.

Ultimately, the Council commenced its 2022 sittings without utilising the remote participation procedures.

However, the testing was found to be beneficial when a number of Members were ill with COVID during the Estimates hearings conducted by the Standing Committee on Estimates and Financial Operations. These Members were able to participate in the Estimates hearings and ask questions of Ministers when the hearings were conducted from the Legislative Council Chamber.

The Procedure Office will continue to monitor these and other developments in relevant jurisdictions.

### **Standing Orders amendments**

The Council's Procedure and Privileges Committee presented Report 64, *Review of the Standing Orders*, on 6 September 2021. The Committee had been directed to review the Standing Orders with a view to modernisation and adopting best practice from other Upper House Chambers in Australian Parliaments, including the Australian Senate.

The report contained 38 recommendations to amend existing Standing Orders and to trial an e-petitions Temporary Order (see p 7).

The changes of note arising out of the referral were:

- speaking times under SO 21 (adopted 23 June 2021);
- the permanent adoption of the Motions on Notice Temporary Order (new SO 66);
- an urgent Bills procedure (new SO 125A); and
- an amendment to the answer timeframe provided under Questions on Notice.

### **Protocols with the Corruption and Crime Commission and WA Police**

In late 2021 the Legislative Council entered into memoranda of understanding with the Corruption and Crime Commission and the WA Police. The memoranda of understanding are statements of broad principles that establish procedures to enable these law enforcement agencies to properly undertake investigations relating to Members while respecting parliamentary privilege.

Related protocols were finalised around the same time with each agency and tabled in the Council. The protocols cover matters relating to the execution of search warrants on Members' premises and the determination of claims of immunity from production of materials considered subject to parliamentary privilege, and ensure that parliamentary privilege is protected while preserving the integrity and timeliness of investigations undertaken by law these enforcement bodies.

### **Committee Services**

The Committee Services functional area operates from the Legislative Council Committee Office (Committee Office). The Committee Office provides proactive advice and administrative support to Legislative Council Committees. The service is provided by a team of professional staff who provide research, analysis, administrative and executive services.

The Legislative Council has eight permanent 'standing' committees that consist of Members of the Legislative Council, including two joint 'standing' committees that comprise Members from both

Houses. Select Committees are created for a specific inquiry and cease to exist once they have reported or if Parliament is prorogued, whichever first occurs. There was one Select Committee inquiry underway during the reporting period.

### **Committee activities**

The committees and staff continued to hold remote meetings and hearings during the period.

Parliamentary committees continued their legislation scrutiny work with the Standing Committee on Uniform Legislation and Statutes Review reporting on six Bills to the House. The Joint Standing Committee Delegated Legislation received 189 instruments of subsidiary legislation for review including regulations, local laws, by-laws and rules.

The Standing Committee on Estimates and Financial Operations considered the 2021-22 Budget Estimates at hearings in October 2021. Thirteen hearings were held, across 15 agencies, totalling 24 hours. Committee staff processed 306 questions asked by Members for the combined hearings. The Standing Committee on Estimates and Financial Operations examined changes to the 2021 Appropriation Bills and the performance management framework.

On 19 May 2022, the Standing Committee on Public Administration tabled Report 37, *Delivery of Ambulance Services in Western Australia: Critical Condition*. The inquiry received 123 submissions and held 32 hearings during the reporting period.

The Standing Committee on Environment and Public Affairs received 35 new petitions, including four e-petitions presented under a new Temporary Order (see p 7). Thirty-three petitions were finalised. The Committee tabled Report 58, *Overview of Petitions 2 June 2021 to 2 December 2021* on 24 March 2022.

A Select Committee into Cannabis and Hemp was established and commenced its inquiry on 13 October 2021. The inquiry is examining the potential to amend the current legislation and regulations which apply to cannabis and hemp in Western Australia. During the reporting period the Select Committee into Cannabis and Hemp held 19 hearings.

### **Fortieth anniversary of the first Legislative Council Standing Committee**

The reporting period marked the fortieth anniversary since the establishment of the first Legislative Council standing committee. On 7 April 1982, the Standing Committee on Government Agencies was appointed by the Council and tasked with inquiring into the activities of government agencies. It was the forerunner to the current Standing Committee on Public Administration.

## **Administrative Services**

Administrative Services provides efficient, structured and systematic administrative services to support the operations of the Department, the Legislative Council, its members and committees.

### **Information Technology**

The Council works in conjunction with other departments and business units of the Parliament in relation to IT as part of its records management, administrative and publishing work.

#### *Remote project management*

The Department invests significant resources maintaining and building relevant information supporting the activities of the House and its committees. As a part of remote working arrangements the Department identified and progressed a range projects aiming to build on the knowledge and information required to support the Department, the Council and its committees. The remote working arrangements provided a unique opportunity to advance this body of work whilst maintaining the traditional services provided to the Council.

### **Joint sittings to fill a casual Senate vacancies**

Two joint sittings of the Legislative Council and the Legislative Assembly to fill a casual Senate vacancy were conducted in the reporting period.

On 14 September 2021 and 18 May 2022 respectively, a joint sitting of both Houses of the Western Australian Parliament was conducted for the purpose of nominating a person to be elected as a Senator to the Commonwealth Parliament pursuant to s. 15 of the Commonwealth Constitution:

- in September 2021, Dorinda Cox was nominated to hold the place vacated by former Senator Rachel Siewert; and
- in May 2022, Benjamin John Small was nominated to hold the place vacated by former Senator Ben Small.

The nomination of Benjamin John Small was a notable occasion as this was the second time that the Legislative Council and the Legislative Assembly had sat together to nominate Benjamin John Small to fill a Senate vacancy. On this occasion the casual vacancy arose as a result of Mr Small having to resign due to section 44 of the Constitution and his New Zealand citizenship.

The vacancy and renomination of Mr Small occurred immediately prior to a Federal Election in which Mr Small was running. As stated by the Premier, the effect of the joint sitting was that the Legislative Council and Legislative Assembly were nominating:

*Mr Small following the earlier appointment of Mr Small to fill a vacancy created by the resignation of Mr Small ahead of the potential re-election of Mr Small to a position earlier held by Mr Small.<sup>5</sup>*

### **Records management**

Statistics regarding records management training are in Chapter 3.

#### *Oracle*

Oracle is a procedural and parliamentary knowledge management tool, created to provide functional access to four databases: standing orders, standing orders commentary, rulings and research material. The Department developed this resource from existing siloed databases during a 2019-2020 project.

A short project to fix issues found during use, and to provide extra functionality was run in 2021-22.

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<sup>5</sup> M McGowan, Premier, Western Australia, Joint Sitting Legislative Council and Legislative Assembly, *Parliamentary Debates (Hansard)*, 18 May 2022, p 2390.

## CHAPTER 3

### Disclosures and legal compliance

---

#### Introduction

The Department is required to comply with a number of Acts covering areas of financial, administrative and human resources management. The following sections of this report detail the Department's obligations and actions in these areas.

#### Financial management

The Clerk is responsible for keeping proper accounts and maintaining adequate systems of internal control, preparing financial statements, and complying with the *Financial Management Act 2006*.

The financial statements consist of the income statement, balance sheet, statement of changes in equity, cash flow statement, schedule of income and expenses by service, summary of consolidated account appropriations and income and estimates, and the notes to the financial statements. Also included are the key performance indicators of the Legislative Council for the year ended 30 June 2022 (see Appendix 4).

#### Performance indicators

The Department assesses its performance using Key Performance Indicators (KPIs) to measure the extent to which the specific goals set by the Department have been achieved. The KPIs provide an overview of the critical or material aspects of outcome achievement or service provision pursuant to the *Financial Management Act 2006*. The Department's audited performance indicators are available at Appendix 4.

#### Key performance indicators

In addition to the Legislative Council Members' Survey (see p 13), the Department uses KPIs based on significant documents critical to its timely operation. The KPIs were approved by the Department of Treasury on 8 February 2006. The KPIs of effectiveness are:

- average member rating for procedural advice — House;
- average member rating for procedural advice — committees;
- average member rating for administrative support; and
- proportion of parliamentary documents produced and delivered within agreed timeframes established by the House.

#### *Chamber Documents*

The Office of the Auditor General assisted the Department to develop KPIs based on parliamentary documents that directly influence the operation and work outputs of the House on sitting days. Each document was selected for its relationship to work outputs by staff, impact on services provided, and critical timeframes affecting the business of the House.

The documents comprise the Weekly Bulletin, Business Program, Draft Minutes and the Notice Paper.

The Department collated statistics based on publication dates and times for each document type, and tabulated the results. The statistics were assessed against agreed target timeframes to determine whether the publication goals had been achieved.

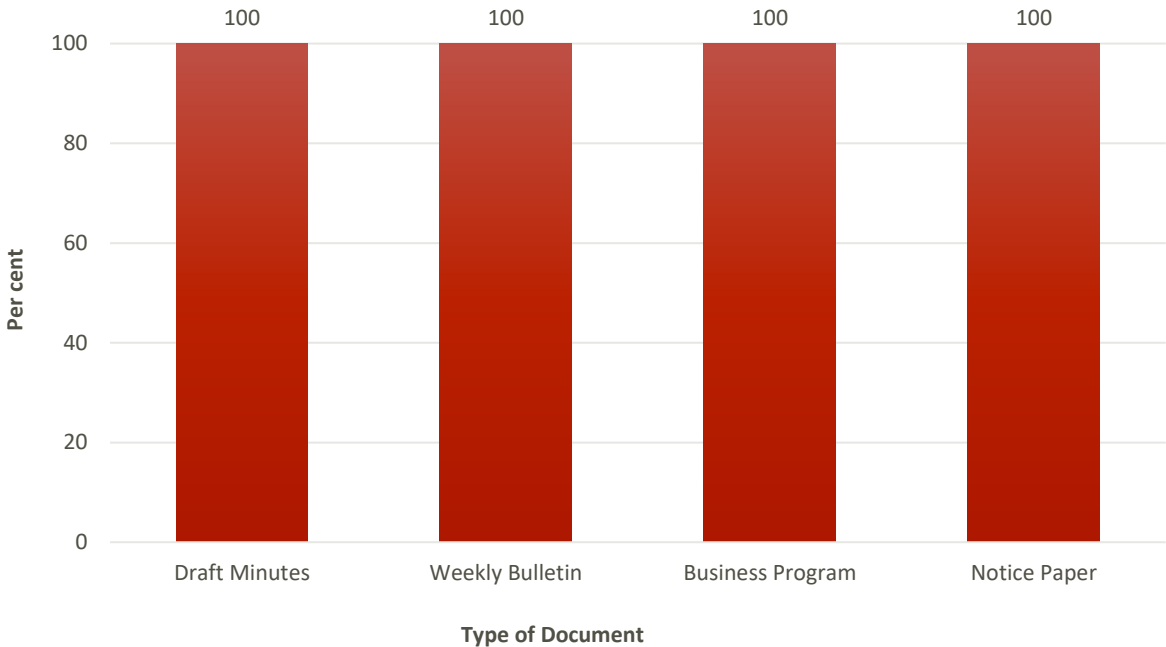
The agreed target timeframes for publication of each of the documents is as follows:

- Weekly Bulletin — 72 hours prior to the House sitting;
- Business Program — prior to the House sitting;
- Draft Minutes — 24 hours after the House rises; and
- Notice Paper — prior to the House sitting.

The objective of the Department is to meet agreed target timeframes for publication 100% of the time.

During the reporting period the Department produced 210 documents that are subject to measurement under the KPIs. Outcomes are reported in Figure 1.

Figure 1. Documents published within agreed timeframes



**Members’ survey**

Each year the Department provides the 36 members of the Legislative Council with a survey relating to its provision of procedural advice and administrative services. This reporting period 24 of the 36 surveys, or 67%, were completed and returned.

The results were compared across the last four financial year periods, inclusive of 2021–22. The comparisons indicate that the performance of the Department has remained relatively consistent with the previous financial years and remains at a level above set targets.

*Procedural Advice*

The Department set a goal of an average of 8.5 out of 10 satisfaction rating for procedural advice. This figure has been exceeded for the past four financial years by achieving an overall average rating of 9.0 for the House. The reporting period exceeded the previous four years, which was an exceptional result in the second year of a parliamentary cycle. Committees also received the remarkably high 9.0 rating. See Figures 2 and 3.

Figure 2. Comparison of average ratings (out of 10) for procedural advice (House)

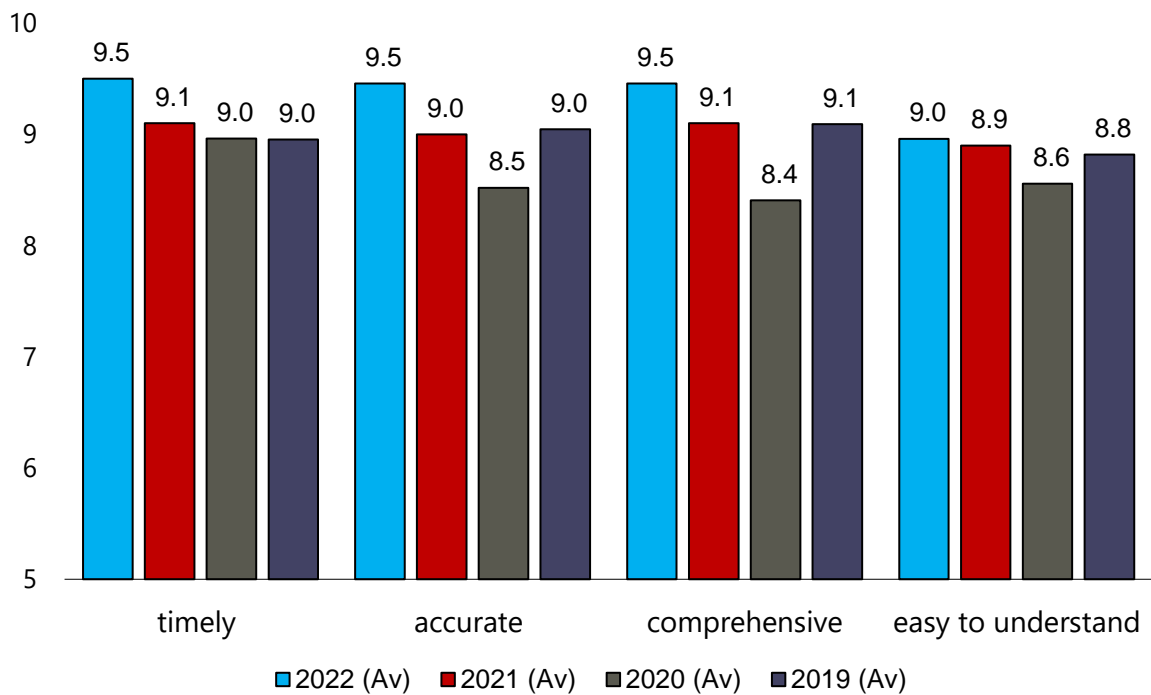
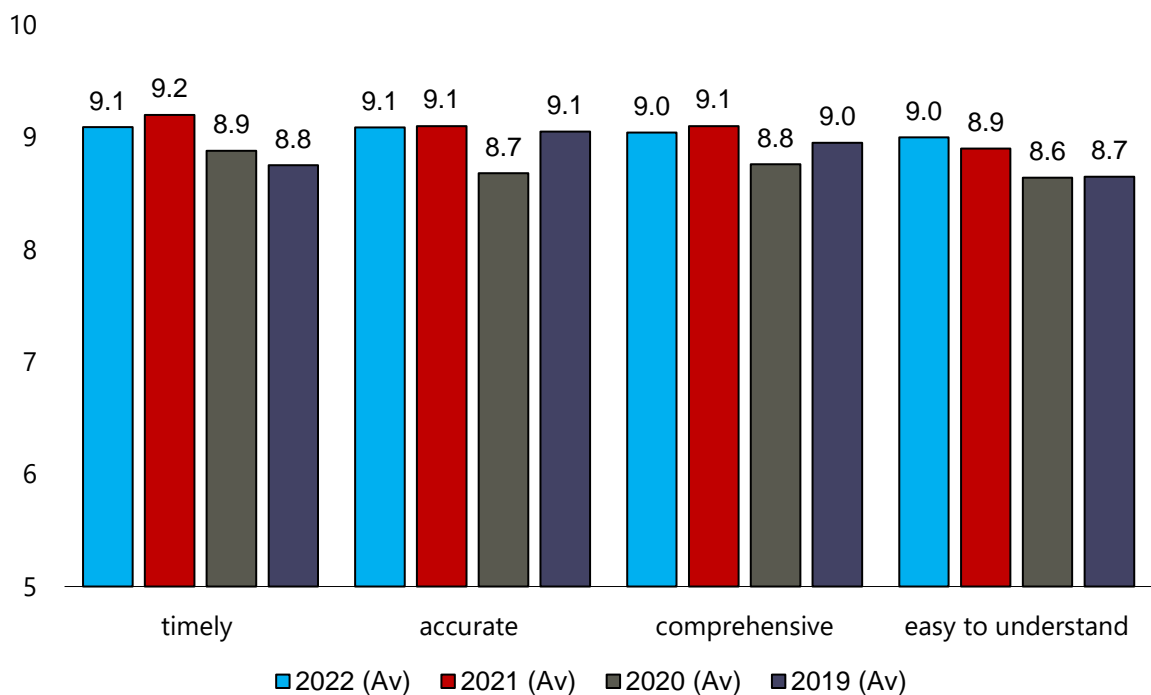


Figure 3. Comparison of average ratings (out of 10) for procedural advice (Committees)



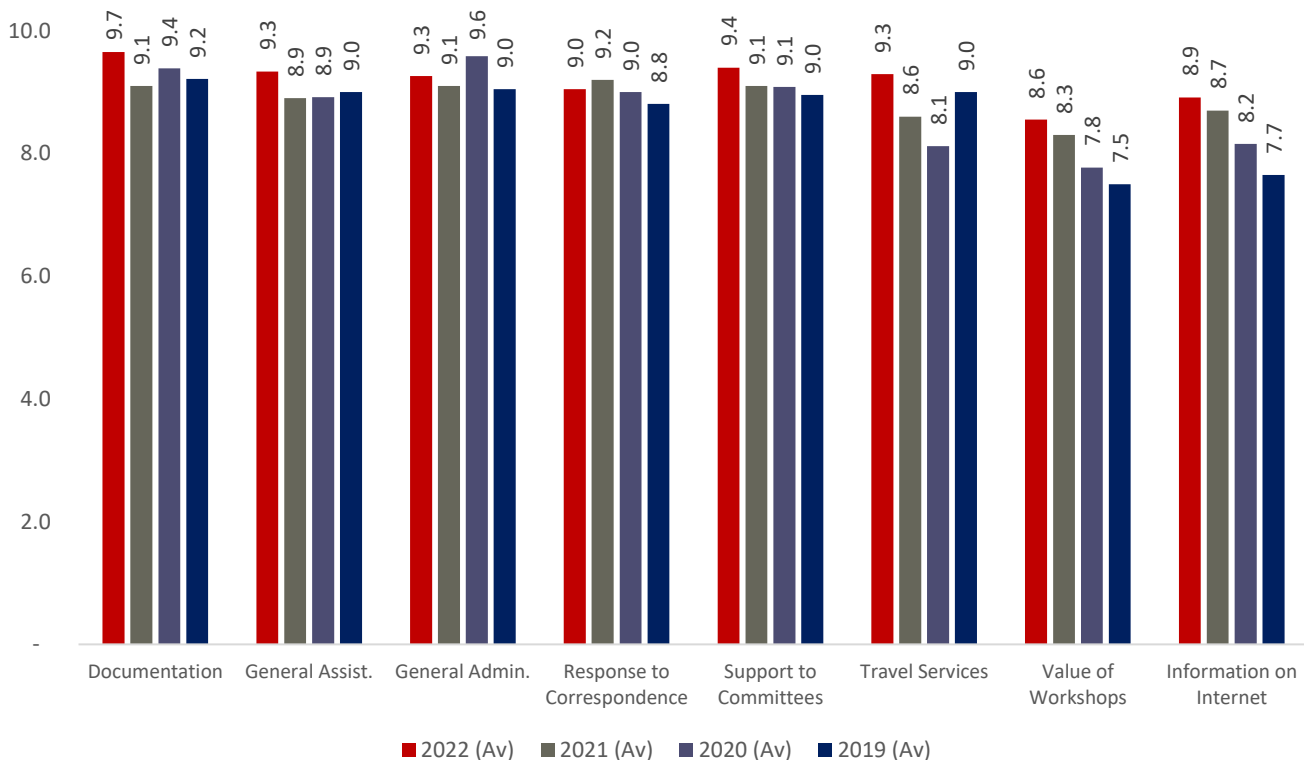
#### Administrative Support

The Department set a goal of an average of 8.5 out of 10 satisfaction rating for administrative support. An average rating by members of 8.87 was achieved by the Department in relation to administrative support services provided over the past four financial years. The Department is



pleased to report that in comparison to the previous three financial years, 2021-2022 achieved the highest figures across all but two of the categories. See Figure 4.

Figure 4. Comparison of average ratings (out of 10) for administrative support<sup>6</sup>



## Records management

### Records management

Two staff were recruited to the Legislative Council in the 2021-2022 financial year. These staff were trained on the Department's document and records management system, thesaurus, retention and disposal regime, and templates. Details of the Department's compliance with State Records Commission requirements (Standard 2) are in the table below:

Table 1. Legislative Council compliance with State Records Commission requirements

<b>1.</b>	<b>The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every 5 years</b>
<p>The Department reviews its recordkeeping plan using the State Records Office Self-Evaluation checklist and provides a formal report of the review to the President of the Legislative Council once every five years. The Department seeks feedback from the State Records Office in regard to these reviews. The next review is due in October 2022.</p>	

<sup>6</sup> In some instances, members declined to rate a particular service or rated it as zero with an explanation that they did not use the service or it was not applicable to them. In these instances, the Department excluded that rating from the sample.

<b>2.</b>	<b>The organisation conducts a recordkeeping training program</b>
The Department conducts a recordkeeping training program as outlined in Chapter 6 of the Department's Record Keeping Plan.	
<b>3.</b>	<b>The efficiency and effectiveness of the record keeping training program is reviewed from time to time</b>
The Department periodically reviews its recordkeeping training program. The last review was in 2019.	
<b>4.</b>	<b>The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan</b>
<p>All Departmental inductees complete two online record training courses:</p> <ul style="list-style-type: none"> <li>• Recordkeeping Awareness Training; and</li> <li>• Information and Communications Technology Security Training.</li> </ul> <p>All inductees are required to read, and acknowledge that they have understood all Departmental and whole of Parliament recordkeeping policies and procedures and are provided one-on-one filing system training.</p>	

## Parliamentary travel

### Standing/Select Committee Travel

During the reporting period two standing and one select committee undertook travel relating to parliamentary business.

In September 2021 five members and two staff of the Public Administration Committee travelled intrastate in relation to the inquiry into the delivery of ambulance services in WA.

In May 2022 five members and two staff of the Select Committee on Cannabis and Hemp travelled to Queensland for the purpose of attending the United in Compassion Australian Medicinal Cannabis Symposium. During the same period the Select Committee also travelled to a South West intrastate location to progress its inquiry.

Five members and two staff of the Environment and Public Affairs Committee travelled intrastate in May 2022 to Margaret River for its inquiry into Petition 29, prescribed burning practices by Department of Biodiversity, Conservation and Attractions.

Further details relating to Standing and Select Committee travel are contained in Appendix 7.

### Unauthorised use of credit cards

Officers of the Department and members of the Legislative Council hold corporate cards where their functions warrant access to this facility.

During the reporting period 1 July 2021 to 30 June 2022, there was one instance of the corporate card being used for personal purposes:

- aggregate amount of personal use for the reporting period — \$10.50;

- aggregate amount of personal use expenditure settled by the due date (within 5 working days) — \$10.50;
- aggregate amount of personal use expenditure settled after the due date (within 5 working days) — Nil;
- aggregate amount of personal use expenditure remaining unpaid at the end of the reporting period — Nil;
- number of referrals for disciplinary action instigated by the notifiable authority during the reporting period — Nil.

## APPENDIX 1

### MEMBERS OF THE LEGISLATIVE COUNCIL IN THE 41ST PARLIAMENT

Table 2. *Members of the Legislative Council in the 41<sup>st</sup> Parliament, as at 30 June 2022*

Region	Name	Party
Agricultural Region	ALDRIDGE, Martin	The Nationals WA
Agricultural Region	CARR, Sandra	Australian Labor Party
Agricultural Region	DE GRUSSA, Colin	The Nationals WA
Agricultural Region	MARTIN, Steve	Liberal Party
Agricultural Region	PAYNE, Shelley	Australian Labor Party
Agricultural Region	WEST, Darren	Australian Labor Party
East Metropolitan Region	CLOHESY, Alanna	Australian Labor Party
East Metropolitan Region	FARAGHER, Donna	Liberal Party
East Metropolitan Region	HARPER, Lorna	Australian Labor Party
East Metropolitan Region	ROWE, Samantha	Australian Labor Party
East Metropolitan Region	SWINBOURN, Matthew	Australian Labor Party
East Metropolitan Region	WALKER, Brian	Legalise Cannabis WA Party
Mining and Pastoral Region	DAWSON, Stephen	Australian Labor Party
Mining and Pastoral Region	FOSTER, Peter	Australian Labor Party
Mining and Pastoral Region	MCGINN, Kyle	Australian Labor Party
Mining and Pastoral Region	SAHANNA, Rosetta	Australian Labor Party
Mining and Pastoral Region	THOMSON, Neil	Liberal Party
Mining and Pastoral Region	TUCKER, Wilson	Daylight Saving Party
North Metropolitan Region	CADDY, Dan	Australian Labor Party
North Metropolitan Region	COLLIER, Peter	Liberal Party

<b>Region</b>	<b>Name</b>	<b>Party</b>
North Metropolitan Region	MAKUR CHUOT, Ayor	Australian Labor Party
North Metropolitan Region	PRITCHARD, Martin	Australian Labor Party
North Metropolitan Region	SIBMA, Tjorn	Liberal Party
North Metropolitan Region	YANG, Pierre	Australian Labor Party
South Metropolitan Region	ANDRIC, Klara	Australian Labor Party
South Metropolitan Region	DOUST, Kate	Australian Labor Party
South Metropolitan Region	ELLERY, Sue	Australian Labor Party
South Metropolitan Region	GOIRAN, Nick	Liberal Party
South Metropolitan Region	PETTITT, Brad	Greens (WA)
South Metropolitan Region	PRATT, Stephen	Australian Labor Party
South West Region	HAYWARD, James <sup>7</sup>	Independent
South West Region	JARVIS, Jackie	Australian Labor Party
South West Region	MACTIERNAN, Alannah	Australian Labor Party
South West Region	MOERMOND, Sophia	Legalise Cannabis WA Party
South West Region	TALBOT, Sally	Australian Labor Party
South West Region	THOMAS, Steve	Liberal Party

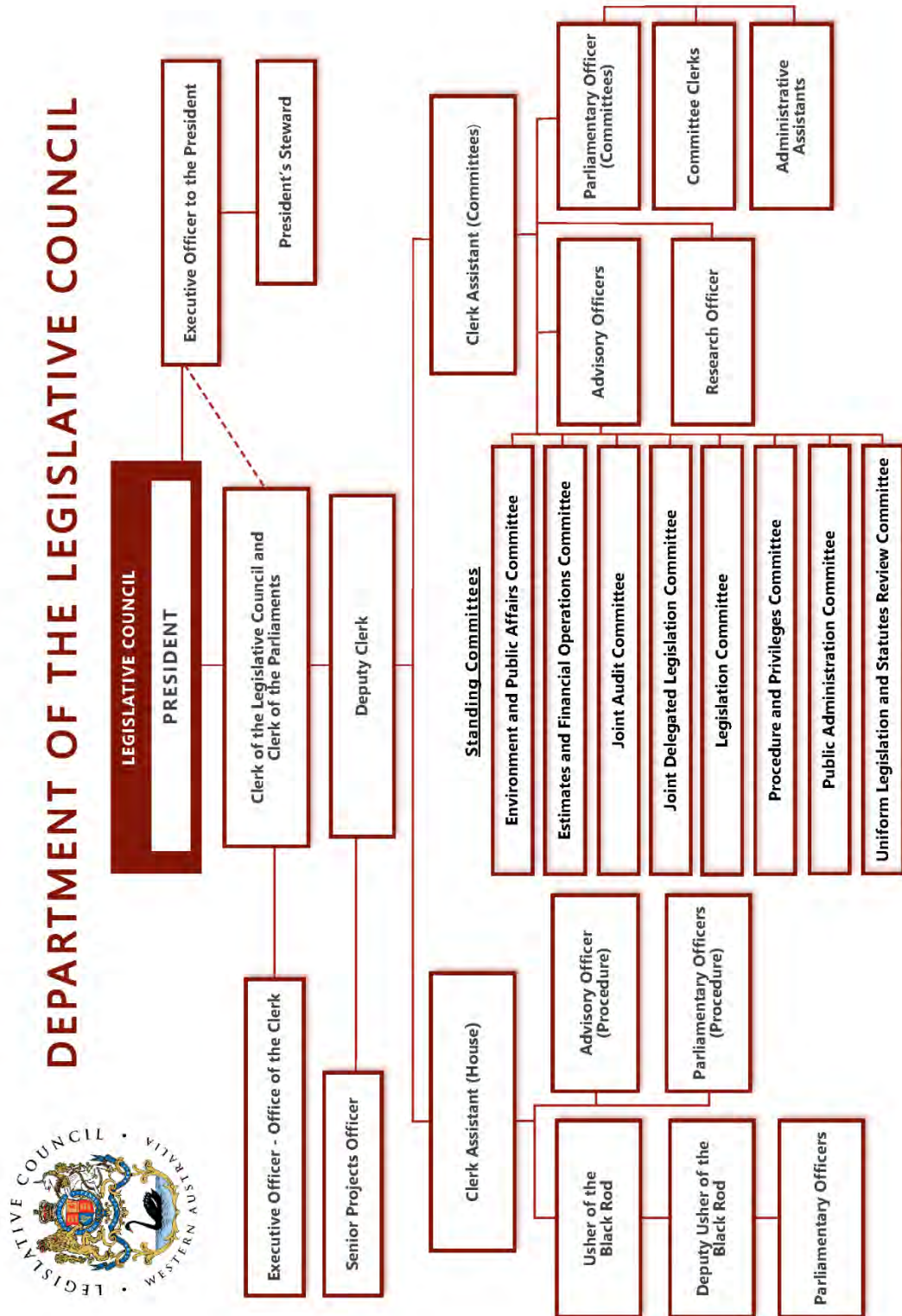
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<sup>7</sup> Resigned from The Nationals WA on 3 December 2021.

## APPENDIX 2

### ORGANISATIONAL CHART

Figure 5. Department of the Legislative Council structure chart



## APPENDIX 3

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### MANAGEMENT TEAM

#### Executive Management Team

Clerk	Mr Sam Hastings
Deputy Clerk	Mr Paul Grant
Clerk Assistant (House)	Ms Christine Kain
Acting Clerk Assistant (Committees)	Ms Shoshanna McNerney
Usher of the Black Rod	Mr Grant Hitchcock

#### Function

The role of the Executive Management Team is to provide executive and strategic management to the Department of the Legislative Council, including to:

- monitor and review the Department's Strategic and Business Plans;
- monitor and review the Department's personnel management;
- develop, maintain and monitor compliance with Departmental/parliamentary policies and procedures;
- establish, monitor and review Departmental budgets and expenditure;
- facilitate internal and external audits; and
- manage compliance reporting and ensure Departmental compliance with statutory obligations.

## APPENDIX 4

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### FINANCIAL PERFORMANCE



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**CERTIFICATION OF FINANCIAL STATEMENTS**  
**FOR THE REPORTING PERIOD ENDED 30 JUNE 2022**

The accompanying financial statements of the Department of the Legislative Council have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2022 and the financial position as at 30 June 2022.

At the date of signing we are not aware of any circumstances which would render any particulars included in the financial statements misleading or inaccurate.

Handwritten signature of Elma Ozich in black ink.

Elma Ozich  
Chief Finance Officer

Date: 21/11/2022

Handwritten signature of Sam Hastings in blue ink.

Sam Hastings  
Accountable Authority

Date: 21/11/2022







DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Financial Report  
For the year ended 30 June 2022

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**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Statement of comprehensive income**  
**For the year ended 30 June 2022**

	Notes	2022 \$000	2021 \$000
<b>Cost of services</b>			
<b>Expenses</b>			
Employee benefits expense	2.1 (a)	16,908	18,303
Supplies and services	2.3	2,384	1,816
Depreciation expense	4.1, 4.2	17	30
Finance costs	6.2	1	1
Accommodation expenses	2.3	434	430
Grants and subsidies	2.2	101	-
Other expenses	2.3	64	52
Loss on disposal of non-current assets	2.3	-	1
<b>Total cost of services</b>		<b>19,909</b>	<b>20,633</b>
<b>Income</b>			
Other income	3.2	2	2
<b>Total income</b>		<b>2</b>	<b>2</b>
<b>Net cost of services</b>		<b>19,907</b>	<b>20,631</b>
<b>Income from State Government</b>			
Service appropriation	3.1	20,118	20,902
Resources received		1,119	858
<b>Total income from State Government</b>		<b>21,237</b>	<b>21,758</b>
<b>Surplus/(deficit) for the period</b>		<b>1,330</b>	<b>1,127</b>
<b>Other comprehensive income</b>			
<i>Items not reclassified subsequently to profit or loss</i>			
Changes in asset revaluation surplus	4.1	138	6
<b>Total other comprehensive income</b>		<b>138</b>	<b>6</b>
<b>Total comprehensive income for the period</b>		<b>1,468</b>	<b>1,133</b>

The Statement of comprehensive income should be read in conjunction with the accompanying notes.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Statement of financial position  
As at 30 June 2022

	Notes	2022 \$000	2021 \$000
<b>Assets</b>			
<b>Current Assets</b>			
Cash and cash equivalents	6.3	4,950	4,896
Receivables	5.1	35	67
Other current assets	5.3	96	2
<b>Total Current Assets</b>		<b>5,081</b>	<b>4,965</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	6.3	74	71
Amounts receivable for services	5.2	223	206
Property, plant and equipment	4.1	238	99
Right-of-use assets	4.2	31	20
<b>Total Non-Current Assets</b>		<b>566</b>	<b>396</b>
<b>Total assets</b>		<b>5,647</b>	<b>5,361</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Payables	5.4	162	1,214
Lease liabilities	6.1	18	12
Employee related provisions	2.1(b)	781	809
Other current liabilities	5.5	29	117
<b>Total Current Liabilities</b>		<b>990</b>	<b>2,152</b>
<b>Non-Current Liabilities</b>			
Lease liabilities	6.1	14	8
Employee related provisions	2.1(b)	108	124
Other non-current liabilities	5.5	-	29
<b>Total Non-Current Liabilities</b>		<b>122</b>	<b>161</b>
<b>Total liabilities</b>		<b>1,112</b>	<b>2,313</b>
<b>Net assets</b>		<b>4,535</b>	<b>3,048</b>
<b>Equity</b>			
Contributed equity		59	40
Reserves		177	39
Accumulated surplus		4,299	2,969
<b>Total equity</b>		<b>4,535</b>	<b>3,048</b>

The Statement of financial position should be read in conjunction with the accompanying notes.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Statement of changes in equity  
For the year ended 30 June 2022

	Contributed equity \$000	Reserves \$000	Accumulated surplus \$000	Total equity \$000
<b>Balance at 1 July 2020</b>	21	33	1,842	1,896
Surplus	-	-	1,127	1,127
Other comprehensive income	-	6	-	6
<b>Total comprehensive income for the period</b>	-	6	1,127	1,133
<i>Transactions with owners in their capacity as owners:</i>				
Capital appropriations	19	-	-	19
<b>Total</b>	19	-	-	19
<b>Balance at 30 June 2021</b>	<b>40</b>	<b>39</b>	<b>2,969</b>	<b>3,048</b>
<b>Balance at 1 July 2021</b>	40	39	2,969	3,048
Surplus	-	-	1,330	1,330
Other comprehensive income	-	138	-	138
<b>Total comprehensive income for the period</b>	-	138	1,330	1,468
<i>Transactions with owners in their capacity as owners:</i>				
Capital appropriations	19	-	-	19
<b>Total</b>	19	-	-	19
<b>Balance at 30 June 2022</b>	<b>59</b>	<b>177</b>	<b>4,299</b>	<b>4,535</b>

The Statement of changes in equity should be read in conjunction with the accompanying notes.







**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Statement of cash flows**  
**For the year ended 30 June 2022**

	2022	2021
Notes	\$000	\$000
<b>Cash flows from the State Government</b>		
Service appropriation	6,159	6,550
Other statutes - <i>Salaries and Allowances Act 1975</i>	13,942	14,334
Capital appropriations	19	19
<b>Net cash provided by State Government</b>	<b>20,120</b>	<b>20,903</b>
<i>Utilised as follows:</i>		
<b>Cash flows from operating activities</b>		
<b>Payments</b>		
Employee benefits	(17,902)	(17,349)
Supplies and services	(1,437)	(1,030)
Finance costs	(1)	(1)
Accommodation	(543)	(368)
Grants and subsidies	(101)	-
GST payments on purchases	(206)	(160)
Other payments	(39)	(260)
<b>Receipts</b>		
GST receipts from taxation authority	174	145
GST receipts on sales	7	12
Other receipts	2	2
<b>Net cash provided by/(used in) operating activities</b>	<b>(20,045)</b>	<b>(19,009)</b>
<b>Cash flows from investing activities</b>		
<b>Receipts</b>		
Proceeds from sale of non-current assets	-	6
<b>Net cash provided by/(used in) investing activities</b>	<b>-</b>	<b>6</b>
<b>Cash flows from financing activities</b>		
<b>Payments</b>		
Principal elements of lease payments	(18)	(18)
<b>Net cash provided by/(used in) financing activities</b>	<b>(18)</b>	<b>(18)</b>
Net increase/(decrease) in cash and cash equivalents	57	1,882
Cash and cash equivalents at the beginning of period	4,967	3,085
<b>Cash and cash equivalents at the end of the period</b>	<b>5,024</b>	<b>4,967</b>

6.3

The Statement of cash flows should be read in conjunction with the accompanying notes.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

## **1. Basis of preparation**

For financial reporting purposes, the Department is an entity funded by the State of Western Australia (consolidated revenue) which is subject to the *Financial Management Act 2006* and Treasurer's Instructions relating to public finances. The Department is a not-for-profit entity (as profit is not its principal objective).

The Department is not part of the State public service or a government agency from the perspective of the *Public Sector Management Act 1994*.

The Department provides apolitical services to Members of Parliament, irrespective of their political affiliation, through two specific service roles that are undertaken to meet its single desired outcome. These two specific service roles are to support the chamber operation and support the committees of the Legislative Council.

A description of the nature of its operations and its principal activities have been included in the 'Overview' which does not form part of the financial statements.

These annual financial statements were authorised for issue by the Accountable Authority of the Department on 21 November 2022.

### **Statement of compliance**

These general purpose financial statements have been prepared in accordance with:

- the *Financial Management Act 2006 (FMA)*
- the Treasurer's Instructions (**TIs**)
- Australian Accounting Standards (**AASs**) - Simplified Disclosures
- where appropriate, those **AAS** paragraphs applicable for not-for-profit entities have been applied.

The *FMA* and the *TIs* take precedence over *AASs*. Several *AASs* are modified by *TIs* to vary application, disclosure format and wording. Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

### **Basis of preparation**

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest thousand dollars (\$'000).

### **Accounting for Goods and Services Tax (GST)**

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the Department as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

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**1. Basis of preparation (cont.)**

**Contributed equity**

Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, as designated as contributions by owners (at the time of, or prior to, transfer) be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by T1 955 *Contributions by Owners made to Wholly-Owned Public Sector Entities* and have been credited directly to Contributed Equity.

**Comparative information**

Except when an AAS permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements. AASB 1060 provides relief from presenting comparatives for:

- Property, Plant and Equipment reconciliations; and
- Right-of-Use Asset reconciliations.

**Judgements and estimates**

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.





**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**2. Use of our funding**

**Expenses incurred in the delivery of services**

This section provides additional information about how the Department's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the Department in achieving its objectives and the relevant notes are:

	<b>Notes</b>
Employee benefits expenses	2.1(a)
Employee related provisions	2.1(b)
Grants and subsidies	2.2
Other expenditure	2.3
Loss on disposal of non-current assets	2.3

<b>2.1(a) Employee benefits expenses</b>	<b>2022</b>	<b>2021</b>
<u>Salaries and Allowance Act 1975</u> <sup>(a)</sup>	<b>\$000</b>	<b>\$000</b>
Employee benefits	12,217	12,149
Termination benefits	-	1,174
Superannuation - defined contribution plans	987	947
<b>Employee benefits expenses</b>	<b>13,204</b>	<b>14,270</b>
Add: AASB 16 Non-monetary benefits	18	18
<b>Total employee benefits provided</b>	<b>13,222</b>	<b>14,288</b>
<u>Parliamentary Support</u> <sup>(a)</sup>		
Employee benefits	3,346	3,665
Superannuation - defined contribution plans	358	368
<b>Employee benefits expenses</b>	<b>3,704</b>	<b>4,033</b>
<b>Total employee benefits expenses</b>	<b>16,908</b>	<b>18,303</b>
<b>Total employee benefits provided</b>	<b>16,926</b>	<b>18,321</b>

(a) Expenses relating to Members of the Legislative Council, the Clerk and Deputy Clerk are included under 'Salaries and Allowances Act 1975'. Expenses relating to staff of the Legislative Council are included under 'Parliamentary Support'.

**Employee benefits** include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under accounting standards other than AASB 16 (such as cars) for employees.

**Termination benefits** are payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the Department is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value. Termination benefits under 'Salaries and Allowance Act 1975' in 2021 financial year represents transitional allowance payments that are made to retiring Members of Parliament.

**Superannuation** is the amount recognised in profit or loss of the Statement of comprehensive income comprises employer contributions paid to the Gold State Superannuation Scheme (GSS) (concurrent contributions), the West State Superannuation Scheme (WSS), other Government Employees Superannuation Board schemes (GESBs) or other superannuation funds.

**AASB 16 non-monetary benefits** are non-monetary employee benefits, relating to the provision of vehicle benefits that are recognised under AASB 16 and are excluded from the employee benefits expense.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

2. Use of our funding (cont.)

2.1(b) Employee related provisions

Current	2022	2021
<u>Employee benefits provisions</u>	\$000	\$000
Annual leave	327	341
Long service leave	449	463
	<u>776</u>	<u>804</u>
<u>Other provisions</u>		
Employment on-costs	5	5
<b>Total current employee related provisions</b>	<b>781</b>	<b>809</b>
<b>Non-current</b>		
<u>Employee benefits provisions</u>		
Long service leave	107	123
<u>Other provisions</u>		
Employment on-costs	1	1
<b>Total non-current employee related provisions</b>	<b>108</b>	<b>124</b>
<b>Total employee related provisions</b>	<b>889</b>	<b>933</b>

Provision is made for benefits accruing to employees in respect of annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

**Annual leave liabilities** are classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

**Long service leave liabilities** are unconditional long service leave provisions are classified as current liabilities as the Department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Department has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

The provision for long service leave liabilities is calculated at present value as the Department does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, and discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

**Employment on-costs** involve settlement of annual and long service leave liabilities which gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

**2. Use of our funding (cont.)**

**2.1(b) Employee related provisions (cont.)**

Employment on-costs, including workers' compensation insurance premiums, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses, Note 2.3' and are not included as part of the Department's 'employee benefits expenses'. The related liability is included in 'Employment on-costs provision'.

	2022	2021
	\$000	\$000
<b>Employment on-cost provision</b>		
Carrying amount at start of period	5	5
Net additional provisions recognised	-	-
<b>Carrying amount at end of period</b>	<b>5</b>	<b>5</b>

**Key sources of estimation uncertainty - long service leave**

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Several estimates and assumptions are used in calculating the Department's long service leave provision. These include:

- expected future salary rates;
- discount rates;
- employee retention rates; and
- expected future payments.

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

**2.2 Grants and subsidies**

	2022	2021
	\$000	\$000
<b>Recurrent</b>		
Commonwealth Parliamentary Association <sup>(a)</sup>	101	-
<b>Total grants and subsidies</b>	<b>101</b>	<b>-</b>

- (a) Responsibility for providing administrative assistance to the Commonwealth Parliamentary Association (CPA) Western Australia branch transfers between the Department of the Legislative Council and the Department of the Legislative Assembly with each Parliament. The Department providing administrative assistance is also the conduit for the grant funding.

Transactions in which the Department provides goods, services, assets (or extinguishes a liability) or labour to another party without receiving approximately equal value in return are categorised as 'Grant or subsidy expenses'. These payments or transfers are recognised at fair value at the time of the transaction and are recognised as an expense in the reporting period in which they are paid. They include transactions such as: grants, subsidies, personal benefit payments made in cash to individuals, other transfer payments made to public sector agencies, local government, non government schools, and community groups.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

2. Use of our funding (cont.)

2.3 Other expenditure	2022 \$000	2021 \$000
<b>Supplies and services</b>		
Advertising	6	4
Chamber Publications	3	3
Communications	11	17
Consumables	50	49
Consultants	47	606
Contractors	4	90
Insurance	24	23
Storage	19	18
Training	25	25
Travel	48	1
Other supplies and services expenses	65	97
Resources received from the Parliamentary Services Department:		
▪ Infrastructure and Facilities free of charge	244	180
▪ Information and Services free of charge	867	668
▪ Infrastructure and Facilities, and Information and Services at cost	846	35
Resources received from the Department of the Legislative Assembly at cost	125	-
<b>Total supplies and services expenses</b>	<b>2,384</b>	<b>1,816</b>
<b>Accommodation expenses</b>		
Office rental	270	259
Other accommodation expenses	164	171
<b>Total accommodation expenses</b>	<b>434</b>	<b>430</b>
<b>Other expenses</b>		
Employment on-costs	25	16
Audit fee	39	36
<b>Total other expenses</b>	<b>64</b>	<b>52</b>
<b>Total other expenditure</b>	<b>2,882</b>	<b>2,298</b>

**Supplies and services expenses** are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expensed when the materials are distributed.

**Office rental** is expensed as incurred as Memorandum of Understanding Agreements between the Department and the Department of Finance for the leasing of office accommodation contain significant substitution rights.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

2. Use of our funding (cont.)

2.3 Other expenditure (cont.)

**Employee on-costs** includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liabilities is included at Note 2.1(b) Employee related provisions. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

	2022	2021
	\$000	\$000
<b>2.3 Loss on disposal of non-current assets</b>		
<u>Net proceeds from disposal of non-current assets</u>		
Office equipment	-	6
Works of Art	-	-
<u>Carrying amount of non-current assets disposed</u>		
Office equipment	-	(6)
Works of Art	-	(1)
<b>Net gains/(losses) on disposal of non-current assets</b>	<b>-</b>	<b>(1)</b>

**Realised and unrealised gains** are usually recognised on a net basis. These include gains (and losses) arising on the disposal of non-current assets.

Gains and losses on the disposal of non-current assets are presented by deducting from the proceeds on disposal the carrying amount of the asset and related selling expenses. Gains and losses are recognised in profit or loss in the Statement of comprehensive income (from proceeds of sale).



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

### 3. Our funding sources

#### How we obtain our funding

This section provides additional information about how the Department obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the Department and the relevant notes are:

	<b>Notes</b>
Income from State Government	3.1
Other income	3.2

<b>3.1 Income from State Government</b>	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
Appropriation received during the period:		
• Service appropriation	20,118	20,902
<b>Total service appropriation</b>	<b>20,118</b>	<b>20,902</b>
Resources received free of charge from other public sector entities during the period:		
• Department of Finance (Government Office Accommodation)	8	8
• Parliamentary Services Department	1,111	848
<b>Total resources received</b>	<b>1,119</b>	<b>856</b>
<b>Total income from State Government</b>	<b>21,237</b>	<b>21,758</b>

**Service Appropriations** are recognised as income at the fair value of consideration received in the period in which the Department gains control of the appropriated funds. The Department gains control of appropriated funds at the time those funds are deposited in the bank account or credited to the holding account held at Treasury.

**Resources received from other public sector entities** is recognised as income equivalent to the fair value of assets received, or the fair value of services received that can be reliably determined and which would have been purchased if not donated.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**3. Our funding sources (cont).**

**3.1 Income from State Government (cont).**

**Summary of consolidated account appropriations**

**For the year ended 30 June 2022**

	<b>2022</b>	<b>2022</b>	<b>2022</b>	<b>2022</b>	<b>2022</b>
	<b>Budget</b>	<b>Supple- mentary funding</b>	<b>Revised budget</b>	<b>Actual</b>	<b>Variance</b>
	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>
<b><u>Delivery of Services</u></b>					
Item 1 Net amount appropriated to deliver services	6,176	-	6,176	6,176	-
Amount Authorised by Other Statutes					
▪ <i>Salaries and Allowances Act 1975</i>	13,942	-	13,942	13,942	-
<b>Total appropriations provided to deliver services</b>	<b>20,118</b>	<b>-</b>	<b>20,118</b>	<b>20,118</b>	<b>-</b>
<b><u>Capital</u></b>					
Item 90 Capital appropriation	19	-	19	19	-
<b>Total consolidated account appropriations</b>	<b>20,137</b>	<b>-</b>	<b>20,137</b>	<b>20,137</b>	<b>-</b>

**3.2 Other income**

	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
Other income	2	2
<b>Total other income</b>	<b>2</b>	<b>2</b>

Revenue is recognised at the transaction price when the Department transfers control of the services to customers.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**4. Key assets**

This section includes information regarding the key assets the Department utilises to gain economic benefits or assets the Department utilises for economic benefit or service potential or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes
Property, plant and equipment	4.1
Right-of-use assets	4.2

**4.1 Property, Plant and Equipment**

**Year ended 30 June 2022**

	Office Ceremonial		Works of Antique and		Total
	Equipment	Assets	Art	Historical	
	\$000	\$000	\$000	\$000	\$000
<b>1 July 2021</b>					
Gross carrying amount	5	22	77	-	104
Accumulated depreciation	(5)	-	-	-	(5)
<b>Carrying amount at start of period</b>	<b>-</b>	<b>22</b>	<b>77</b>	<b>-</b>	<b>99</b>
Transfers	-	(5)	1	4	-
Revaluation increments	-	139	-	-	139
<b>Carrying amount at 30 June 2022</b>	<b>-</b>	<b>156</b>	<b>78</b>	<b>4</b>	<b>238</b>
Gross carrying amount	-	156	78	4	238
Accumulated depreciation	-	-	-	-	-

**Initial recognition**

Items of office equipment costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition. Items of office equipment costing less than \$5,000 are immediately expensed direct to the Statement of comprehensive income (other than when they form part of a group of similar items which are significant in total).

All ceremonial assets, works of art, and antique and historical items are capitalised as it is anticipated that their value will appreciate over time.

**Subsequent measurement**

Subsequent to initial recognition as an asset, the revaluation model is used for the measurement of ceremonials and works of art.

Office equipment is stated at historical cost less accumulated depreciation and accumulated impairment losses. Antique and historical are stated at historical cost.

Ceremonials and works of art are carried at fair value less accumulated impairment losses, and are independently valued every five years.





**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

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**4. Key assets (cont.)**

**4.1 Property, plant and equipment (cont.)**

**Significant assumptions and judgements:** The most significant assumptions and judgements in estimating fair value are made in assessing whether to apply the existing use basis to assets and in determining estimated useful life. Professional judgment by the valuer is required where the evidence does not provide a clear distinction between market type assets and existing use assets.

**Useful lives**

All office equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

Depreciation is generally calculated on a straight line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for office equipment, for current and prior years is:

Office equipment - 3 to 10 years

Ceremonials, works of art, and antique and historical, which are considered to have an indefinite life, are not depreciated. Depreciation is not recognised in respect of these assets because their service potential has not, in any material sense, been consumed during the reporting period.

**Impairment**

Non-financial assets, including items of office equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

Where a previously revalued asset is written down to its recoverable amount, the loss is recognised as a revaluation decrement through other comprehensive income.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

4. Key assets (cont.)

4.2 Right-of-use assets

Year ended 30 June 2022

	Vehicles \$000	Total \$000
Carry amount at beginning of period	20	20
Additions	28	28
Depreciation	(17)	(17)
<b>Net carrying amount as at end of period</b>	<b>31</b>	<b>31</b>

The Department has leases for vehicles. The lease contracts are typically made for fixed periods of 30-36 months.

The Department has also entered into a Memorandum of Understanding Agreements with the Department of Finance for the leasing of office accommodation. These are not recognised under AASB 16 because of substitution rights held by the Department of Finance and are accounted for as an expense as incurred.

**Initial recognition**

At the commencement date of the lease, the Department recognises right-of-use assets and a corresponding lease liability for most leases. The right-of-use assets are measured at cost comprising of:

- the amount of the initial measurement of the lease liability;
- any lease payments made at or before the commencement date, and
- any initial direct costs.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in note 5.

The Department has elected not to recognise right-of-use assets and lease liabilities for short-term leases (with a lease term of 12 months or less) and low value leases (with an underlying value of \$5,000 or less). Lease payments associated with these leases are expensed over a straight-line basis over the lease term.

**Subsequent measurement**

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

**Depreciation and impairment of right-of-use assets**

Right-of-use assets are depreciated on a straight line basis over the shorter of the lease term and the estimated useful life of the asset.

Right-of-use assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in note 4.1.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**5. Other assets and liabilities**

This section sets out those assets and liabilities that arose from the Department's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	<b>Notes</b>
Receivables	5.1
Amounts receivable for services	5.2
Other assets	5.3
Payables	5.4
Other liabilities	5.5

<b>5.1 Receivables</b>	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<u>Current</u>		
Receivables	-	54
GST Receivable	35	13
<b>Total receivables at end of the period</b>	<b>35</b>	<b>67</b>

Receivables are initially recognised at their transaction price, less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net receivables is equivalent to fair value as it is due for settlement within 30 days.

<b>5.2 Amounts receivable for services (Holding Account)</b>	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
Non-current	223	206
<b>Total Amounts receivable for services at end of period</b>	<b>223</b>	<b>206</b>

**Amounts receivable for services** represent the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement.

The amounts receivable for services are financial assets at amortised cost, and are not considered impaired. (i.e. there is no expected credit loss of the Holding Account).

<b>5.3 Other assets</b>	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<u>Current</u>		
Prepayments	96	2
<b>Total current</b>	<b>96</b>	<b>2</b>
<b>Total other assets at end of period</b>	<b>96</b>	<b>2</b>



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

5. Other assets and liabilities (cont.)

5.4 Payables

	2022	2021
<u>Current</u>	<u>\$000</u>	<u>\$000</u>
Trade payables	4	23
Accrued expenses	69	98
Accrued salaries	89	1,093
<b>Total payables at end of period</b>	<b>162</b>	<b>1,214</b>

**Payables** are recognised at the amounts payable when the Department becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 20 days.

**Accrued salaries** represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries (excluding TOIL) are settled within a fortnight after the reporting period. The Department considers the carrying amount of accrued salaries to be equivalent to its fair value.

5.5 Other liabilities

	2022	2021
<u>Current</u>	<u>\$000</u>	<u>\$000</u>
Lease incentive provision <sup>(a)</sup>	29	117
<b>Total current</b>	<b>29</b>	<b>117</b>
<u>Non Current</u>		
Lease incentive provision <sup>(a)</sup>	-	29
<b>Total non current</b>	<b>-</b>	<b>29</b>
<b>Balance at end of period</b>	<b>29</b>	<b>146</b>

Other financial liabilities are recognised initially at fair value, net of transaction costs incurred, and are subsequently measured at amortised cost.

- (a) The Department entered into a property lease at 18-32 Parliament Place West Perth in 2017 which is a non-cancellable lease for a term of five years expiring in October 2022. A lease incentive of approximately twenty-one month's rent free has been allocated across the lease term of five years, with a remaining lease provision of \$29,000 for 2023.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ending 30 June 2022

## 6. Financing

This section sets out the material balances and disclosures associated with the financing and cash flows of the Department.

	Notes
Lease liabilities	6.1
Finance costs	6.2
Cash and cash equivalents	6.3

### 6.1 Lease liabilities

	2022 \$000	2021 \$000
Not later than one year	18	12
Later than one year and not later than five years	14	8
	<b>32</b>	<b>20</b>
Current	18	12
Non-Current	14	8
	<b>32</b>	<b>20</b>

At the commencement date of the lease, the entity recognises lease liabilities measured at the present value of lease payments to be made over the lease term. The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the Department uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the Department as part of the present value calculation of lease liability include:

- fixed payments (including in-substance fixed payments);
- variable lease payments that depend on an index or a rate initially measured using the index or rate as at the commencement date;
- amounts expected to be payable by the lessee under residual value guarantees;
- payments for penalties for terminating a lease, where the lease term reflects the agency exercising an option to terminate the lease;
- Periods covered by extension or termination options are only included in the lease term by the Department if the lease is reasonably certain to be extended (or not terminated).

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right-of-use asset.

Variable lease payments, not included in the measurement of lease liability, that are dependant on sales are recognised by the Department in profit or loss in the period in which the condition that triggers those payment occurs.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ending 30 June 2022

**6 Financing (cont.)**

**6.1 Lease liabilities (cont.)**

**Subsequent measurement**

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

This section should be read in conjunction with note 4.2.

	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<b>Leases have been recognised in the Statement of comprehensive income:</b>		
Lease interest expense	1	1
Expenses relating to variable lease payments not included in lease liabilities	8	4
<b>Total lease expense</b>	<b>9</b>	<b>5</b>

**Variable lease payments** that are not included in the measurement of the lease liability recognised in the period in which the event or condition that triggers those payments occurs.

**6.2 Finance costs**

	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<b>Interest expense</b>		
Interest expense on lease liabilities	1	1
<b>Total finance costs expensed</b>	<b>1</b>	<b>1</b>

Finance cost includes the interest component of lease liability repayments.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
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**6 Financing (cont.)**

**6.3 Cash and cash equivalents**

	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
Cash and cash equivalents	4,950	4,896
Restricted cash and cash equivalents	74	71
<b>Balance at end of period</b>	<b>5,024</b>	<b>4,967</b>

<b>Restricted cash and cash equivalents</b>	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<b>Non-current</b>		
Accrued salaries suspense account <sup>(a)</sup>	74	71

(a) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non current for 10 out of 11 years.

For the purpose of the Statement of cash flows, cash and cash equivalent assets comprise cash on hand.

The accrued salaries suspense account consists of amounts paid annually, from agency appropriations for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

## 7. Financial instruments and Contingencies

This note sets out the key risk management policies and measurement techniques of the Department.

	<b>Notes</b>
Financial instruments	7.1
Contingent assets and liabilities	7.2

### 7.1 Financial Instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<b>Financial Assets</b>		
Cash and cash equivalents	5,024	4,967
Financial assets at amortised cost <sup>(a)</sup>	223	260
<b>Total financial assets</b>	<b>5,247</b>	<b>5,227</b>
<b>Financial Liabilities</b>		
Financial liabilities at amortised cost <sup>(b)</sup>	129	1,169
<b>Total financial liability</b>	<b>129</b>	<b>1,169</b>

(a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable)

### Measurement

All financial assets and liabilities are carried without subsequent remeasurement.

### 7.2 Contingent assets and liabilities

The Department did not have any contingent assets or contingent liabilities at the end of the period.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

## 8. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements for the understanding of this financial report.

	<b>Notes</b>
Events occurring after the end of the reporting period	8.1
Initial application of Australian Accounting Standards	8.2
Key management personnel	8.3
Related party transactions	8.4
Remuneration of auditors	8.5
Supplementary financial information	8.6

### 8.1 Events occurring after the end of the reporting period

There were no events occurring after reporting date which would materially impact on the financial statements.

### 8.2 Initial application of Australian Accounting Standards

The following standards are operative for reporting periods ended on or after 30 June 2022:

- AASB 2020-2 Amendments to Australian Accounting Standards – Removal of Special Purpose Financial Statements for Certain For-Profit Private Sector Entities
- AASB 2020-5 Amendments to Australian Accounting Standards – Insurance Contracts
- AASB 2020-7 Amendments to Australian Accounting Standards – Covid 19 Related Rent Concessions: Tier 2 Disclosures
- AASB 2020-8 Amendments to Australian Accounting Standards Interest Rate Benchmark Reform – Phase 2
- AASB 2020-9 Amendments to Australian Accounting Standards – Tier 2 Disclosures: Interest Rate Benchmark Reform (Phase 2) and Other Amendments
- AASB 2021-1 Amendments to Australian Accounting Standards Transition to Tier 2: Simplified Disclosures for Not for Profit Entities
- AASB 2021-3 Amendments to Australian Accounting Standards – Covid 19 Related Rent Concessions beyond 30 June 2021

The Department considers the above standards do not have material impact on its accounts.





DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

**8. Other disclosures (cont.)**

**8.3 Key management personnel**

The Department has determined that key management personnel include the Presiding Officer and senior officers of the Department.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the Department for the reporting period are presented within the following bands.

Compensation Band (\$)	2022	2021
400,001 - 410,000	1	-
360,001 - 370,000	-	1
310,000 - 320,000	1	-
270,001 - 280,000	-	1
250,000 - 260,000	1	-
230,001 - 240,000	1	1
190,001 - 200,000	-	1
180,001 - 190,000	1	1
160,001 - 170,000	-	1
90,000 - 100,000	1	-
60,001 - 70,000	1	-
20,001 - 30,000	1	-
	<b>2022</b>	<b>2021</b>
	<b>\$000</b>	<b>\$000</b>
<b>Total compensation of key management personnel</b>	<b>1,577</b>	<b>1,459</b>

**8.4 Related party transactions**

Related parties of the Department include:

- all Cabinet Ministers and their close family members, and their controlled or jointly controlled entities;
- the Presiding Officer and their close family members, and their controlled or jointly controlled entities;
- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other agencies and statutory authorities, including related bodies, that are included in the whole of government consolidated financial statements (ie wholly-owned public sector entities);
- associates and joint ventures, of a wholly-owned public sector entity;
- the Government Employees Superannuation Board (GESB); and

**Material transactions with related parties**

Outside of normal citizen type transactions with the Department, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**8. Other disclosures (cont.)**

**8.5 Remuneration of auditors**

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2022	2021
	\$000	\$000
Auditing the accounts, financial statements, controls, and key performance indicators.	<u>39</u>	<u>37</u>

**8.6 Supplementary financial information**

**(a) Write-offs**

During the financial year, nil (2021: \$700) was written off the Department's asset register under the authority of the accountable authority.

**(b) Losses through thefts, defaults and other causes**

There were no losses through thefts, defaults or other causes (2021: \$8,350).

**(c) Gift of public property**

There were no gifts of public property (2021: nil).



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**9. Explanatory statement**

This explanatory section explains variations in the financial performance of the Department undertaking transactions under its own control, as represented by the primary financial statements.

All variances between annual estimates (original budget) and actual results for 2022, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the dollar aggregate of:

- Total Cost of Services of the previous financial year for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of \$20,633,000); and
- Total Assets of the previous financial year for the Statement of financial position (i.e. 1% of \$5,361,000).

**9.1 Statement of comprehensive income variances**

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Variance \$000	Actual 2022 \$000	Actual 2021 \$000	Variance \$000
<b>Expenses</b>							
Employee benefits expense		17,694	16,908	(786)	16,908	18,303	(1,394)
Supplies and services	A	2,360	2,384	24	2,384	1,817	567
Depreciation and amortisation expense		17	17	-	17	30	(13)
Finance costs		1	1	-	1	1	-
Accommodation expenses		555	434	(121)	434	430	4
Grants and subsidies		101	101	-	101	-	101
Other expenses		59	64	5	64	52	12
Loss on disposal of non-current assets		-	-	-	-	1	(1)
<b>Total cost of services</b>		<b>20,787</b>	<b>19,909</b>	<b>(678)</b>	<b>19,909</b>	<b>20,633</b>	<b>(724)</b>
<b>Income</b>							
Other Income		-	2	2	2	2	-
<b>Total income other than income from State Government</b>		<b>-</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>-</b>
<b>Net cost of services</b>		<b>20,787</b>	<b>19,907</b>	<b>880</b>	<b>19,907</b>	<b>20,631</b>	<b>(724)</b>
<b>Income from State Government</b>							
Service appropriation		20,118	20,118	-	20,118	20,902	(784)
Resources received	B	1,060	1,119	59	1,119	856	263
<b>Total income from State Government</b>		<b>21,178</b>	<b>21,237</b>	<b>59</b>	<b>21,237</b>	<b>21,758</b>	<b>(521)</b>
<b>Surplus/(deficit) for the period</b>		<b>391</b>	<b>1,330</b>	<b>(821)</b>	<b>1,330</b>	<b>1,127</b>	<b>203</b>
<b>Other comprehensive income</b>							
<b>Items not reclassified subsequently to profit or loss</b>							
Changes in assets revaluation surplus		-	139	139	139	6	-
<b>Total other comprehensive income</b>		<b>-</b>	<b>139</b>	<b>139</b>	<b>139</b>	<b>6</b>	<b>133</b>
<b>Total comprehensive income for the period</b>		<b>391</b>	<b>1,469</b>	<b>(682)</b>	<b>1,469</b>	<b>1,133</b>	<b>336</b>





**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**9. Explanatory statement (cont.)**

**9.1.2 Statement of financial position variances**

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Variance \$000	Actual 2022 \$000	Actual 2021 \$000	Variance \$000
<b>Assets</b>							
<b>Current Assets</b>							
Cash and cash equivalents	1	2,995	4,950	1,955	4,950	4,896	54
Receivables		16	35	19	35	67	(32)
Other current assets	2, C	3	96	93	96	2	94
<b>Total Current Assets</b>		<b>3,014</b>	<b>5,081</b>	<b>2,067</b>	<b>5,081</b>	<b>4,965</b>	<b>116</b>
<b>Non-Current Assets</b>							
Restricted cash and cash equivalents	1	90	74	(16)	74	71	3
Amounts receivable for services		223	223	-	223	206	17
Property, plant and equipment	3, D	112	238	126	238	99	139
Right-of-use assets		28	31	3	31	20	11
<b>Total Non-Current Assets</b>		<b>453</b>	<b>566</b>	<b>113</b>	<b>566</b>	<b>396</b>	<b>170</b>
<b>Total assets</b>		<b>3,467</b>	<b>5,647</b>	<b>2,180</b>	<b>5,647</b>	<b>5,361</b>	<b>286</b>
<b>Liabilities</b>							
<b>Current Liabilities</b>							
Payables	4, E	257	162	(95)	162	1,214	(1,052)
Lease liabilities		9	18	9	18	12	6
Employee related provisions	5	833	781	(52)	781	809	(28)
Other current liabilities	F	30	29	(1)	29	117	(88)
<b>Total Current Liabilities</b>		<b>1,129</b>	<b>990</b>	<b>(139)</b>	<b>990</b>	<b>2,152</b>	<b>(1,162)</b>
<b>Non-Current Liabilities</b>							
Lease liabilities		18	14	(4)	14	8	6
Employee related provisions	5	154	108	(46)	108	124	(16)
Other non-current liabilities		-	-	-	-	29	(29)
<b>Total Non-Current Liabilities</b>		<b>172</b>	<b>122</b>	<b>(50)</b>	<b>122</b>	<b>161</b>	<b>(39)</b>
<b>Total liabilities</b>		<b>1,301</b>	<b>1,112</b>	<b>(189)</b>	<b>1,112</b>	<b>2,313</b>	<b>(1,201)</b>
<b>Net assets</b>		<b>2,166</b>	<b>4,535</b>	<b>2,369</b>	<b>4,535</b>	<b>3,048</b>	<b>1,487</b>
<b>Equity</b>							
Contributed equity	6	(1,324)	59	1,383	59	40	19
Reserves	7, G	32	177	145	177	39	138
Accumulated surplus	8, H	3,458	4,299	841	4,299	2,969	1,330
<b>Total equity</b>		<b>2,166</b>	<b>4,535</b>	<b>2,369</b>	<b>4,535</b>	<b>3,048</b>	<b>1,487</b>



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**9. Explanatory statement (cont.)**

**9.1.3 Statement of cash flows variances**

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Variance \$000	Actual 2022 \$000	Actual 2021 \$000	Variance \$000
<b>Cash flows from State Government</b>							
Service appropriation		6,159	6,159	-	6,159	6,550	(391)
Other statutes		13,942	13,942	-	13,942	14,334	(392)
Capital appropriations		19	19	-	19	19	-
<b>Net cash provided by State Government</b>		<b>20,120</b>	<b>20,120</b>	<b>-</b>	<b>20,120</b>	<b>20,903</b>	<b>(783)</b>
<b>Cash flows from operating activities</b>							
<b>Payments</b>							
Employee benefits		(18,693)	(17,902)	791	(17,902)	(17,349)	(553)
Supplies and services	9, I	(1,195)	(1,437)	(242)	(1,437)	(1,030)	(407)
Finance costs		(1)	(1)	-	(1)	(1)	-
Accommodation		(660)	(543)	117	(543)	(368)	(175)
Grants and subsidies payments		(101)	(101)	-	(101)	-	(101)
GST payments on purchases		(130)	(206)	(76)	(206)	(160)	(46)
Other payments	J	(59)	(39)	20	(39)	(260)	221
<b>Receipts</b>							
GST receipts from taxation authority		130	174	44	174	145	29
GST receipts on sales		-	7	7	7	12	(5)
Other receipts		-	2	2	2	2	-
<b>Net cash provided by/(used in) operating activities</b>		<b>(20,709)</b>	<b>(20,045)</b>	<b>664</b>	<b>(20,045)</b>	<b>(19,009)</b>	<b>(1,037)</b>
<b>Cash flows from investing activities</b>							
<b>Receipts</b>							
Proceeds from sale of non-current assets		-	-	-	-	6	(6)
<b>Net cash provided by/(used in) investing activities</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6</b>	<b>(6)</b>
<b>Cash flows from financing activities</b>							
<b>Payments</b>							
Principal elements of lease payments		(19)	(18)	1	(18)	(18)	-
<b>Net cash provided by/(used in) financing activities</b>		<b>(19)</b>	<b>(18)</b>	<b>1</b>	<b>(18)</b>	<b>(18)</b>	<b>-</b>
Net increase/(decrease) in cash and cash equivalents		(608)	57	665	57	1,882	(1,825)
Cash and cash equivalents at the beginning of the period		3,693	4,967	1,274	4,967	3,085	1,882
<b>Cash and cash equivalents at the end of the period</b>		<b>3,085</b>	<b>5,024</b>	<b>1,939</b>	<b>5,024</b>	<b>4,967</b>	<b>57</b>



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**Notes to the financial statements**  
**For the year ended 30 June 2022**

**9. Explanatory statement (cont.)**

**Major estimate and actual (2022) variance narratives**

- 1 A higher opening cash balance than budgeted for (by \$1,274,000) and an above budget operating cash surplus of \$655,000 has led to a favourable variance to budget of \$1,939,000.
- 2 The variance in other current assets represents prepaid travel for the 2023 year.
- 3 The increase in property, plant and equipment over budget is mainly due to the revaluation of ceremonial assets.
- 4 The over budgeting of payables and accrued expenses is responsible for the favourable \$95,000 variance.
- 5 Employee related provisions have decreased against budget and prior year in line with leave taken.
- 6 The budget for contributed equity includes a 2018 distribution to owners of \$1,382,000. In the 2022 actual figure, the distribution is included within accumulated surplus. This reporting discrepancy is the cause of the variance.
- 7 The asset revaluation reserve increased \$138,000 following the 2022 revaluation of ceremonial assets.
- 8 Accumulated surplus is \$841,000 above budget mainly due to the surplus exceeding budget by \$938,000. This is offset by the AASB 16 Prior Period Adjustments being nil when compared to a budget of \$117,000.
- 9 Contributions to the Department of the Legislative Assembly (for an ICT Review) and the Parliamentary Services Department (for projects beyond the scope of current service agreements) primarily account for the \$242,000 variance in supplies and services payments.

**Major actual (2022) and comparative (2021) variance narratives**

- A Expenditure on supplies and services was \$567,000 higher in 2022 than in the prior year. This was primarily due to increases in the provision of services and resources by the Parliamentary Services Department at cost (\$811,000) and free of charge (\$263,000). Additionally, resources were provided by the Department of the Legislative Assembly at cost (\$125,000), which were offset by reductions in consultants and contractors (\$645,000).
- B The non-cash income comprises of resources received free of charge from the Parliamentary Services Department (\$1,111,000) and the Department of Finance (\$8,000). The majority of the increase over the prior year pertains to ICT related services provided by PSD.
- C The variance in other current assets represents prepaid travel for the 2023 year.
- D The 2022 revaluation of ceremonial assets accounts for the \$139,000 increase over prior year in property, plant and equipment.
- E The 2021 payable balance included an accrual for Member transition allowances (\$999,000) following the March 2021 General State Election. The payment of these allowance in July 2021 resulted in a significant reduction in the year end balance.
- F The winding down of the accommodation lease incentive to its final quarter (for 2023) has resulted in a \$88,000 reduction in other current liabilities.



DEPARTMENT OF THE LEGISLATIVE COUNCIL  
Notes to the financial statements  
For the year ended 30 June 2022

9. Explanatory statement (cont.)

Major actual (2022) and comparative (2021) variance narratives (cont.)

- G The asset revaluation reserve increased \$138,000 over 2021 following the 2022 revaluation of ceremonial assets.
- H The \$1,330,000 variance to the prior year accumulated surplus balance represents the annual movement in the account arising from the 2022 surplus.
- I Cashflows for supplies and services was \$407,000 higher in 2022 than in the prior year. This was primarily due to increases in the provision of services and resources (at cost) by the Parliamentary Services Department (\$811,000) and the Department of the Legislative Assembly (\$125,000), and travel (\$47,000), which were offset by reductions in consultants and contractors (\$645,000).
- J The cash flow variance for other payments arises to a classification error in 2021, which is overstated by \$171,000 (for variable lease expenses, which should have been included in accommodation payments).



**DEPARTMENT OF THE LEGISLATIVE COUNCIL**  
**CERTIFICATION OF KEY PERFORMANCE INDICATORS**  
**FOR THE YEAR ENDED 30 JUNE 2022**

I hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Department of the Legislative Council's performance, and fairly represent the performance of the Department of the Legislative Council for the financial year ended 30 June 2022.

A handwritten signature in blue ink, appearing to read "Sam Hastings".

Sam Hastings  
Accountable Authority

Date: 21/11/2022



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Legislative Council  
Parliament House | 4 Harvest Terrace | West Perth WA 6005  
Telephone: 08 9222 7214 | Email: clerklc@parliament.wa.gov.au



**KEY PERFORMANCE INDICATORS  
OF THE  
DEPARTMENT OF THE LEGISLATIVE COUNCIL**

**FOR THE YEAR ENDED  
30 JUNE 2022**



### Desired Outcomes

The Department of the Legislative Council is not part of the State public service or an agency of Government.

The Department of the Legislative Council services the needs of Members of Parliament, irrespective of their political affiliation through two specific service roles that are undertaken to meet its single desired outcome.

Desired Outcome	Services
The Legislative Council Members' requirements are met.	1. Support the Chamber Operations of the Legislative Council 2. Support the Committees of the Legislative Council

### Key Effectiveness Indicators

Four indicators have been identified that measure the effectiveness of the services provided in meeting the desired outcome.

A Member survey was developed in-house and distributed to all 36 Legislative Council Members of the 41st Parliament. A response rate of 67% was achieved with 24 responses received and tabulated to provide the Members' ratings. Members were asked to rate the timeliness, accuracy, comprehensiveness and ease of understanding of services provided. More details are available in the Department's Annual Report.

The results for prior years have been included to provide trend comparisons.

2021-22 results were higher than budget.

### Procedural Advice - House

This indicator measures the Members' rating of the quality of the advice provided by the staff on procedural and practice matters as they relate to the operation of the Chamber. Procedural advice includes matters in relation to the general operations of the House, and to Members in meeting their specific purposes in the House.

Key Effectiveness Indicator	2019 Actual	2020 Actual	2021 Actual	2022 Actual	2022 Target	Variance to 2022 Target
Average Member rating for procedural advice - House.	90%	86%	91%	93%	85%	8%



### Procedural Advice - Committees

This indicator measures the Members' rating of the quality of the advice provided by the staff on procedural and practice matters as they relate to the operation of the House's established Standing Committees. Procedural advice includes matters relating to the general operations of the Standing Committees.

Key Effectiveness Indicator	2019 Actual	2020 Actual	2021 Actual	<b>2022 Actual</b>	2022 Target	Variance to 2022 Target
Average Member rating for procedural advice - Committees.	88%	87%	91%	<b>91%</b>	85%	6%

### Provision of Administrative Support

This indicator measures the Members' rating of the quality of the administrative support provided by the Department relating to the operations of the House and its Committees.

Administrative support includes assistance with documentation, general administrative matters, travel services, correspondence, internet services and support to Standing Committees and general services in the Chamber and during non-sitting periods.

Key Effectiveness Indicator	2019 Actual	2020 Actual	2021 Actual	<b>2022 Actual</b>	2022 Target	Variance to 2022 Target
Average Member rating for administrative support.	86%	87%	89%	<b>92%</b>	85%	7%

### Documents Delivered Within Agreed Timeframes

The Department provides a number of key documents that result from the normal operations of the House. These are draft Council Minutes, Business Programs, Notice Papers and Weekly Bulletins.

During 2021-22 there were 63 sittings requiring 189 daily documents (draft Council Minutes, Business Programs and Notice Papers) and 21 weekly documents (Weekly Bulletins). The Department captured the date and time that each document was published to determine whether the agreed timeframe was met.

### Documents Delivered Within Agreed Timeframes (cont.)

Key Effectiveness Indicator	2019 Actual	2020 Actual	2021 Actual	<b>2022 Actual</b>	2022 Target	Variance to 2022 Target
Proportion of Parliamentary documents produced and delivered within agreed timeframes established by the House.	100%	100%	100%	<b>100%</b>	100%	-

### Key Efficiency Indicators

The Key Efficiency Indicators provide a measure of the resources used to provide specific services to support services to the Legislative Council and its established Standing Committees.

#### Support the Chamber Operations of the Legislative Council <sup>(a)</sup>

Key Efficiency Indicator	2019 Actual \$000	2020 Actual \$000	2021 Actual \$000	<b>2022 Actual</b> <b>\$000</b>	2022 Target \$000	Variance to 2022 Target \$000
Average cost per Legislative Council Member per sitting <sup>(b)</sup>	\$798	\$849	\$981	<b>\$912</b>	\$844	(\$68)

(a) The House establishes the sitting patterns and the Department of the Legislative Council incurs fixed costs irrespective of the number of sitting. Any amounts provided under the *Salaries and Allowances Act 1975*, and costs allocated by the Parliamentary Services Department, which are reported as Resources Received Free of Charge (Note 3.1), are excluded in measuring the cost base.

(b) Costs have been calculated based on 63 sittings in 2021-22. This is calculated by dividing total Chamber operations and overhead costs by the number of sittings and the number of members.

This measure varies with the number of sitting days, which is determined by the House. The Legislative Council sat for 63 days in 2021-22. This compared with 51 sittings in 2020-21 (which was an election year with an extended summer recess), 70 sittings in 2019-20; and 69 sittings in 2018-19. The budget was lower than the 2022 actuals as it was based on 66 sittings and a cost of \$2,005,000 whereas the actual cost was \$2,068,000 (2021: \$1,801,000).



**Support the Committees of the Legislative Council <sup>(c)</sup>**

Key Efficiency Indicator	2019 Actual \$000	2020 Actual \$000	2021 Actual \$000	<b>2022 Actual \$000</b>	2022 Target \$000	Variance to 2022 Target \$000
Average cost of providing procedural and administrative support to each Committee <sup>(d)</sup> .	\$292	\$329	\$364	<b>\$372</b>	\$409	\$37

(c) There were 9 Committees during 2021-22. Any amounts provided under the *Salaries and Allowances Act 1975* and costs allocated by the Parliamentary Services Department are reported as Resources received Free of Charge (Note 3.1), are excluded in measuring the cost base. It is acknowledged that the House establishes the number of Committees and the Department of the Legislative Council incurs fixed costs irrespective of the number of Committees.

(d) Average cost per Committee is calculated aggregating total Secretariat costs and specific expenditure incurred by all Committees and overhead costs divided by the total number of Committees.

The budget for providing support to 10 Committees was \$4,085,000 whereas the actual cost was \$3,345,000 for 9 Committees (2021: \$3,636,000), resulting in a lower than budgeted average cost.

## APPENDIX 5

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### **DISTINGUISHED VISITORS TO PARLIAMENT HOUSE RECEIVED BY THE PRESIDENT**

The President carries out various ceremonial duties including in relation to the opening of Parliament, receiving visits from foreign Heads of State and foreign delegations, and representing the Council at conferences and events.

For the first nine months of the reporting period, border arrangements and COVID travel restrictions between states and internationally resulted in a pause to visitors to the Parliament and the President's visits to interstate and international Parliaments.

In March 2022, the Western Australia border reopened allowing quarantine-free travel across the border under certain conditions. The reopening of the border resulted in the recommencement of visits to Western Australia by Ambassadors, High Commissioners and other important guests.

During the reporting period, there were nine First Official Visits to Western Australia by Ambassadors or High Commissioners. In addition to the nine courtesy calls outlined below, on Thursday 9 June 2022, the President received a courtesy call from His Excellency Mr Xiao Qian Ambassador of the People's Republic of China, and on Friday 10 June 2022, she received a courtesy call from the Hon Mark Brown, Prime Minister of the Cook Islands.

The Prime Minister, the Hon Mark Brown, was accompanied by a number of Ministers, MPs and government officials.

This was an important occasion, especially as the Parliament of the Cook Islands and the Parliament of Western Australia share a longstanding and warm relationship as 'twinned' parliaments under the Commonwealth Parliamentary Association. The purpose of the twinning arrangement is to foster parliamentary co-operation between branches of the Australian and Pacific Regions of the CPA, through the exchange of information, assistance with training, and exchanges of visits between parliaments.

Figure 6. Cook Island delegation visit



L to R: Hon Alanna Therese Clohesy MLC, President of the Legislative Council; Hon Mrs Akaiti Puna, Member of the Cook Islands Parliament; Mr Barry Winmar, Noongar Elder; Hon Mark Brown, Prime Minister of the Cook Islands; Mr Raemaki Karati, Cultural Advisor for the Cook Islands; Hon Ayor Makur Chuot MLC; Mr Turepu James Keenan, Police Commissioner of the Cook Islands

Table 3. Courtesy calls on the occasion of First Official Visits to Western Australia

25 March 2022	His Excellency Mr Manpreet Vohra, High Commissioner for India
29 March 2022	His Excellency Mr Wolfgang Lukas Strohmayer, Ambassador of Austria
11 May 2022	His Excellency Mr Werner Matías Romero, Ambassador of El Salvador
17 May 2022	His Excellency Mr Mark Glauser, High Commissioner for Canada
26 May 2022	Her Excellency Ms Busadee Santipitakis, Ambassador of Thailand
31 May 2022	His Excellency Dr Siswo Pramono, Ambassador of Indonesia
8 June 2022	His Excellency Mr Amir Maimon, Ambassador of Israel
14 June 2022	His Excellency Mr Dato' Roslan Tan Sri Abdul Rahman, High Commissioner for Malaysia
30 June 2022	Her Excellency Ms Pernille Dahler Kardel, Ambassador of Denmark



## APPENDIX 6

### STATISTICS RELATING TO THE SITTINGS OF THE LEGISLATIVE COUNCIL

Table 4. *Statistics relating to the sittings of the Legislative Council*

	2017-18	2018-19	2019-20	2020-21	2021-22
Number of days House met	51	69	70	51	63
Number of hours House met	333.40	420.41	478.70	318.37	412.55
Average number of hours per sitting	6.32	6.36	6.83	6.18	6.33
<b>Bills Considered —</b>					
Initiated in Legislative Council	14	7	8	9	3
Initiated in Legislative Assembly	43	48	49	33	41
Initiated by the Government	49	50	52	40	42
Initiated by a Private Member	8	5	5	2	2
<b>Total Bills passed in the Council</b>	31	42	40	26	44
Bills passed in LC without amendment	21	24	21	14	38
Bills passed in LC with amendments	10	18	19	12	6
Bills defeated in the LC	0	0	0	0	0
Bills lapsed in the LC	0	0	0	61	0
Bills withdrawn in the LC	0	0	0	0	0
Bills ruled out of order in the LC	0	0	0	0	0
Sets of amendments circulated in the LC	47	86	112	57	30
Questions on Notice processed	1,340	809	719	598	572
Questions without Notice asked	1,161	1,407	1,583	942	1425

	2017-18	2018-19	2019-20	2020-21	2021-22
<b>Total Papers tabled</b>	1,216	1,309	1,172	1,025	1003
Annual Reports	225	212	211	212	202
Petitions <sup>8</sup>	72	73	31	48	41
Planning schemes and amendments	2	3	4	3	3
Standing/Select Committee Reports	41	40	29	30	27
Subsidiary Legislation	280	267	271	273	272
Others (including QONs, documents etc)	596	714	626	459	458

<sup>8</sup> Includes e-petitions presented and tabled in accordance with the Temporary Order adopted 9 September 2021.

## APPENDIX 7

### STATISTICS RELATING TO THE WORK OF THE LEGISLATIVE COUNCIL COMMITTEES

Table 5. *Statistics relating to the work of the Legislative Council committees*

	2017-18	2018-19	2019-20	2020-21	2021-22
<b>Committee meetings</b>					
<i>Standing Committee meetings</i>	140	193	219	147	166
Number of hours of meetings	330.83	365.20	474.47	315.59	406.99
<i>Select Committee meetings</i>	15	48	64	24	21
Number of hours of meetings	34.77	128.93	155.49	86.73	41.55
<b>Committee reports tabled</b>					
Standing Committees	28	26	16	28	18
<i>Minority reports</i>	0	0	0	2	1
Select Committees	0	3	9	2	0
<i>Minority reports</i>	0	0	0	0	0
<b>Submissions to committees</b>					
Standing Committees	482	259	288	679	170
Select Committees	48	193	281	39	77
<b>Summonses issued</b>					
Standing Committees	0	24	6	0	0
Select Committees	0	1	0	0	0
<b>Hearings (public and private)</b>					
<i>Standing Committees</i>					
Number of hearings	109	86	67	44	87
Number of witnesses	457	270	225	168	423

	2017-18	2018-19	2019-20	2020-21	2021-22
<i>Select Committees</i>					
Number of hearings	21	46	23	24	22
Number of witnesses	35	70	50	52	36
<b>Committee travel</b>					
<i>Standing Committees</i>					
Number of trips (intrastate)	0	2	0	0	7
Number of trips (interstate)	1	0	0	0	0
Number of trips (international)	0	0	0	0	0
Expenditure intrastate	0	\$609	0	0	\$15,117
Expenditure interstate	\$11,826	0	0	0	0
Expenditure international	0	0	0	0	0
<i>Standing Committees expenditure total</i>	\$11,826	\$609	0	0	\$15,117
<i>Select Committees</i>					
Number of trips (intrastate)	0	6	0	1	1
Number of trips (interstate)	1	0	0	0	1
Number of trips (international)	0	1	0	0	0
Expenditure intrastate	0	\$36,958	0	\$158.99	\$3,957.82
Expenditure interstate	\$29,281	0	0	0	\$29,499.65
Expenditure international	0	\$100,027	0	0	0
<i>Select Committees expenditure total</i>	\$29,281	\$136,985	0	\$159	\$33,457
<b>Overall Expenditure Total</b>	\$41,107	\$137,594	0	\$159	\$48,574
<i>Expenditure by Committee<sup>9</sup></i>					
Audit	0	0	0	0	0
Delegated Legislation	0	0	0	0	0

<sup>9</sup> Reported expenditure relates to investigative travel by members and staff associated with a committee inquiry.

	2017-18	2018-19	2019-20	2020-21	2021-22
Environment and Public Affairs	\$11,826	0	0	0	\$643
Estimates and Financial Operations	0	0	0	0	0
Legislation	0	0	0	0	0
Public Administration	0	\$609	0	0	\$14,474
Procedure and Privileges	0	0	0	0	0
Uniform Legislation and Statutes Review	0	0	0	0	0
Select Committee into Elder Abuse <sup>10</sup>	\$29,281	0	-	-	-
Select Committee into Mining on Pinjin Station <sup>11</sup>	-	\$31,103	0	0	-
Select Committee on Personal Choice and Community Safety <sup>12</sup>	-	0	0	0	-
Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community <sup>13</sup>	-	\$105,882	0	-	-
Select Committee into Local Government <sup>14</sup>	-	0	0	0	-
Joint Select Committee on Palliative Care in Western Australia <sup>15</sup>	-	-	0	\$159	-
Select Committee on Cannabis and Hemp <sup>16</sup>	-	-	-	-	\$33,457

<sup>10</sup> Established 13 September 2017, reported on 13 September 2018.

<sup>11</sup> Established 22 August 2018, reported on 14 May 2020.

<sup>12</sup> Established 29 August 2018, reported on 12 May 2020.

<sup>13</sup> Established 17 October 2018, reported on 28 November 2019.

<sup>14</sup> Established 26 June 2019, reported on 26 November 2020.

<sup>15</sup> Established 28 May 2020, reported on 19 November 2020.

<sup>16</sup> Established 13 October 2021, due to report no later than 13 October 2022.



## APPENDIX 8

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### WEBSITE STATISTICS

#### Parliament Website Statistics

1 July 2021 — 30 June 2022

Table 6. *Parliament website statistics*

	2021-22
No. of visits / average per day	920,113 / 5,210
Average page views per visitor	3.72 pages
No. of page views / average per day	2,393,145 / 6,557

Table 7. *Top 10 website sections*

	Number of page views
Members	529,506
Bills	296,072
Committees	251,072
Hansard	171,093
LC e-petitions	142,994
Questions	91,091
Watch live	87,633
Biographical Register	77,590
Tabled papers	75,633
Sitting Calendar	59,260

Table 8. Top 10 files downloaded

	Downloads
COVID-19 Response and Economic Recovery Omnibus Bill 2020 <a href="http://www.parliament.wa.gov.au/parliament/bills.nsf/69AB30C543FEB84482585C10009B971/\$File/Bill199-1.002.pdf">http://www.parliament.wa.gov.au/parliament/bills.nsf/69AB30C543FEB84482585C10009B971/\$File/Bill199-1.002.pdf</a>	9057
Inquiry into sexual harassment against women in the FIFO mining industry – Rio Tinto Submission <a href="https://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/F6D80B64D7917B9748258736002CECC5/\$file/00063NoCover_Redacted.pdf">https://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/F6D80B64D7917B9748258736002CECC5/\$file/00063NoCover_Redacted.pdf</a>	5,061
Perth Casino Royal Commission - Tabled paper <a href="https://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4111048a8d7a626ef0a339594825880f00079102/\$file/pcrc+final+report+digital.pdf">https://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4111048a8d7a626ef0a339594825880f00079102/\$file/pcrc+final+report+digital.pdf</a>	5,045
2022 Sitting Dates <a href="https://www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/resources/file-sittingdates2022/\$file/2022SittingDates2.pdf">https://www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/resources/file-sittingdates2022/\$file/2022SittingDates2.pdf</a>	4,538
Physical Contact With Student - Tabled paper <a href="http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4012395cc9deb01cd828892482583a100052698/\$file/tp-2395.pdf">http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4012395cc9deb01cd828892482583a100052698/\$file/tp-2395.pdf</a>	4,073
Inquiry into sexual harassment against women in the FIFO mining industry - BHP Submission <a href="http://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/6F769FDE23D487934825873600310428/\$file/BHP%20Submission%20-%20WA%20Inquiry%20in%20relation%20to%20Sexual%20Harassment%20in%20FIFO%20mining%20industry.pdf">http://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/6F769FDE23D487934825873600310428/\$file/BHP Submission - WA Inquiry in relation to Sexual Harassment in FIFO mining industry.pdf</a>	3,863
Inquiry into Sexual Harassment Against Women in the FIFO Mining Industry - Australian Small Business and Family Enterprise Ombudsman Submission <a href="http://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/4E3E1527C4E3F62C4825875100271BB0/\$file/Submission%2033%20-%20RePipe%20-%20For%20Website%20Redacted.pdf">http://www.parliament.wa.gov.au/Parliament/commit.nsf/lulnquiryPublicSubmissions/4E3E1527C4E3F62C4825875100271BB0/\$file/Submission 33 - RePipe - For Website Redacted.pdf</a>	3,585
Recidivism rates and the impact of treatment programs - Tabled paper <a href="http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/3912295a35b28230ed9c541e48257d730008d551/\$file/2295.pdf">http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/3912295a35b28230ed9c541e48257d730008d551/\$file/2295.pdf</a>	3,314
Frequently Asked Questions – Quarantining Returning Travellers - Tabled paper <a href="http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4014127cbcd4d321c34250482585c90008f6e8/\$file/tp-4127.pdf">http://www.parliament.wa.gov.au/publications/taledpapers.nsf/displaypaper/4014127cbcd4d321c34250482585c90008f6e8/\$file/tp-4127.pdf</a>	2308

## APPENDIX 9

### HUMAN RESOURCES STATISTICS

Table 9. *Employee statistics*

Staff movement	FTEs <sup>17</sup>	Headcount		
		Male	Female	Total
at 1 July 2021	29.7	12	21	33
Recruited	2.0	1	1	2
Separated	4.0	3	1	4
Maternity leave (returned from)	0.6		1	1
Increase in FTE hours <sup>18</sup>	0.6			
at 30 June 2022	28.9	10	22	32
Positions vacant	0.8			
<b>Total</b>	<b>29.7</b>	<b>10</b>	<b>22</b>	<b>32</b>
% turnover of staff				12.1
Employees of age > 48 years		6	9	15
Employees within 2 years of next Long Service Leave (LSL)		1	6	7
Employees with current LSL entitlement		3	8	11

<sup>17</sup> FTEs and headcount include the Clerk and Deputy Clerk, who are not included in the budget paper figures as these positions are funded by special Acts.

<sup>18</sup> Increase in FTE hours comprises two part time employees increasing their hours.

Training	
Employees attending a course	32
as a % of total staff	100
% of recruits who have completed the online recordkeeping awareness training	100
% of recruits who have completed the online information and communications technology security training	100

Figure 7. Employee length of service in years

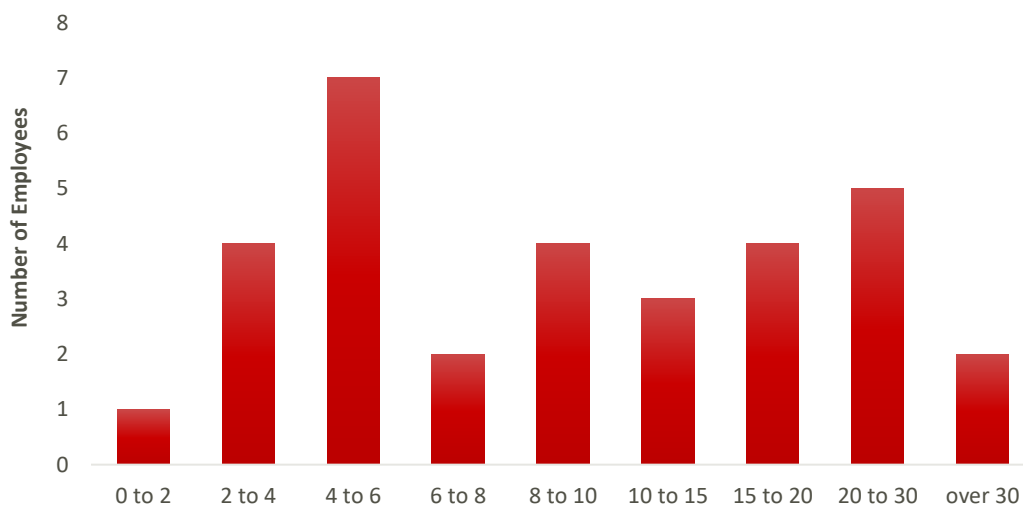


Figure 8. Employees by age range

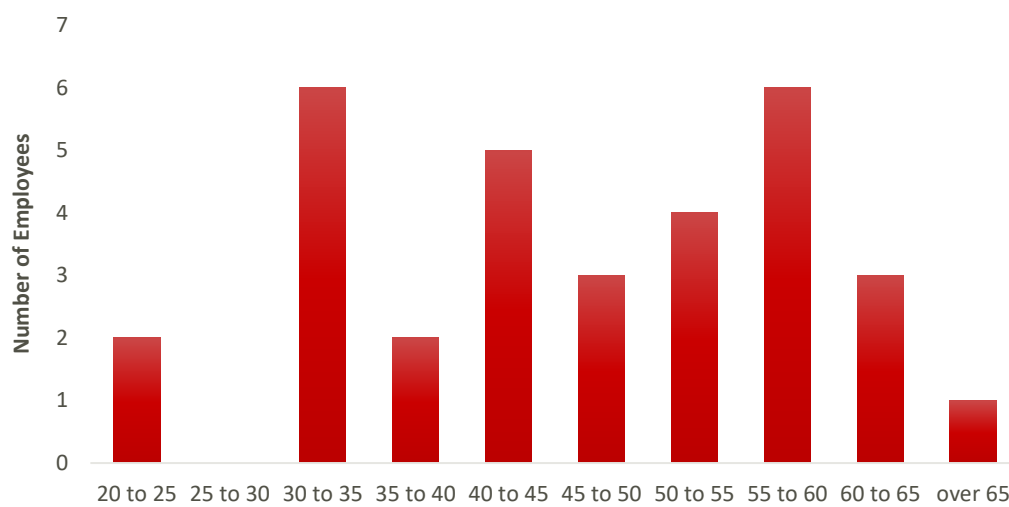


Figure 9. *Employees by classification level*

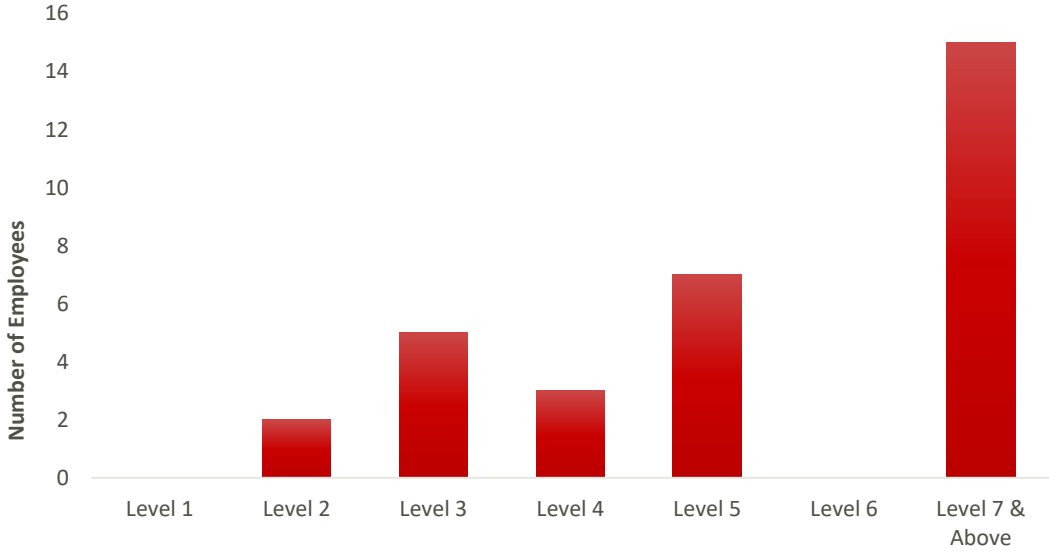


Figure 10. *Employee classification by gender*

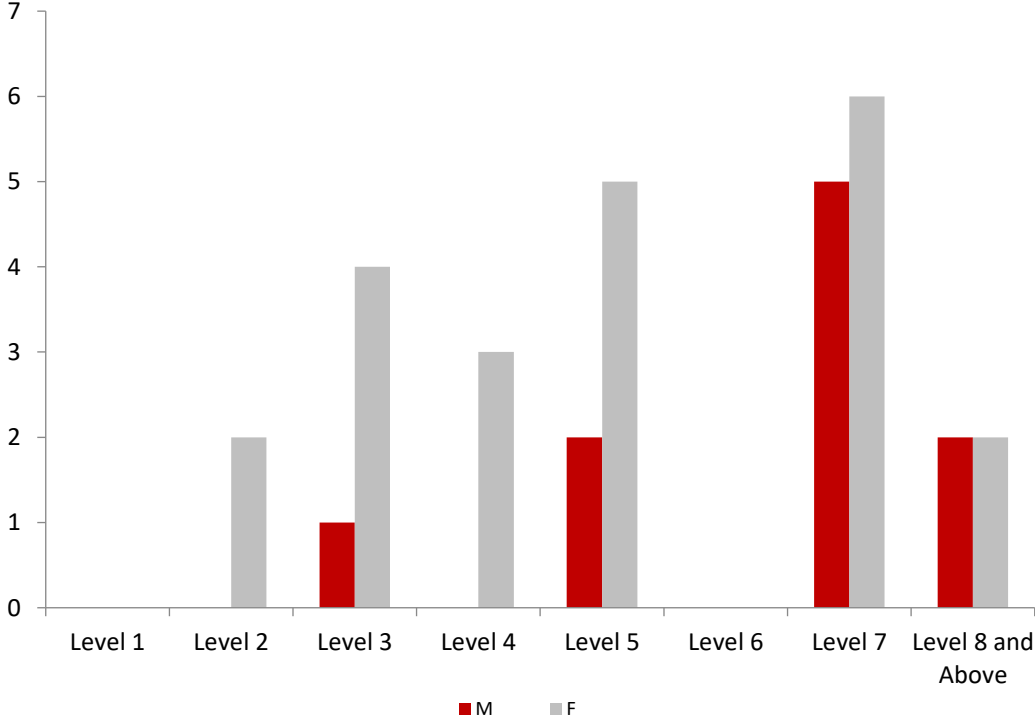
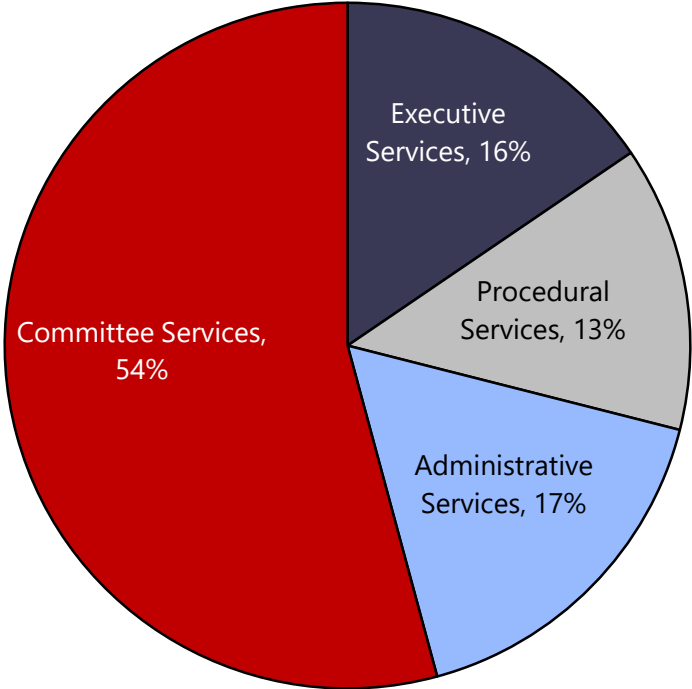




Figure 11. Functional area FTEs



## GLOSSARY

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<b>Term</b>	<b>Definition</b>
Clerk	Clerk of the Legislative Council
Committee Office	Legislative Council Committee Office
Council	Legislative Council
Department	Department of the Legislative Council
EMT	Executive Management Team
Finance	Finance Unit of the Parliamentary Services Department
FTE	Full Time Equivalent
HoDs	Heads of Departments
IT	Information Technology
JCC	Joint Consultative Committee
KPIs	Key Performance Indicators
MEC	Management Executive Committee comprising the President, Speaker, Clerks of both Houses and Executive Manager, PSD
PPC	Procedures and Privileges Committee
Procedure Office	Legislative Council Procedure Office
PSD	Parliamentary Services Department
Treasury	Department of Treasury and Finance
WA	Western Australia



Legislative Council of Western Australia  
Parliament House  
4 Harvest Terrace, West Perth WA 6005  
Telephone: 08 9222 7466  
Website: [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au)

