Agreement for communications between the Minister for Tourism and the Rottnest Island Authority

The Parties:

Hon Paul Papalia CSC MLA
MINISTER FOR TOURISM

Michelle Reynolds
A/CHIEF EXECUTIVE OFFICER
On behalf of the
ROTTNEST ISLAND AUTHORITY

On this 22 day of April 2017 agree as follows:

1. Legislative framework
This agreement is for the purpose of establishing the framework for communications between the Minister for Tourism and the Rottnest Island Authority (RIA) and is made pursuant to Section 74 of the Public Sector Management Act 1994.

2. Overview
Providing information and advice to the responsible Minister and Ministerial staff is an essential role for every government department and agency.

The information and advice provided to the Minister for Tourism is for important purposes such as making decisions and forming part of the public record, and will be conveyed to other entities and individuals including to the Parliament, Cabinet and the electorate. It is essential that the information and advice is accurate, timely and considered within a broader policy context.

An essential principle of the Westminster system of Parliament is the separation of powers and clear lines of accountability and responsibility. The communications agreement supports this premise as well as being a requirement of the Public Sector Management Act.
These guidelines are provided to assist Ministerial Office staff supporting the Minister for Tourism and the employees of the RIA, to maintain a quality service and cooperative working relationships. Notwithstanding any arrangement set out below, Ministerial staff and RIA officers will not interfere with each other in the exercise of their obligations and responsibilities.

The communications agreement describes roles and processes to be followed by both the Minister’s Office and the RIA. The key elements and considerations include:

- All written communications to and from the Minister’s Office must be logged and tracked by the RIA’s Executive Assistant, who will keep the RIA’s Chief Executive Officer informed. If this is not done then this communication is not deemed an authorised record of what has occurred.
- All comments and advice from the RIA must be approved by the RIA’s CEO or his/her delegate for this advice/information to be considered a valid and authorised communication.
- All comments and advice from the RIA must be signed by the CEO prior to submitting to the Minister’s Office.
- If the Minister’s Office contacts an RIA officer direct for verbal “specialist” advice, this must be followed up by an official file note which should be endorsed by the CEO or his/her delegate and copied to the Executive Assistant. It should be noted that such direct contact should only be made because of the specialist nature of the request.
- In responding to urgent requests from the Minister’s Office, any comments or information provided is deemed personal unless approved by the CEO.

3. Basis for Communication
The following written arrangements are in accordance with Section 74 of the Public Sector Management Act and Department of Premier and Cabinet guidelines.

The arrangements specify the manner and circumstances in which communications and dealings are to occur between Ministerial Office staff supporting the Minister and the employees of the RIA.

When a requirement relates to the work of a Ministerial Office employee, and is not on the Minister’s behalf, this must be clearly stated.

In all communications, the statutory obligations and responsibilities of the RIA are to be preserved.

4. Directions by Ministerial Office staff to RIA employees on the manner in which they are to perform functions
In accordance with Section 74(2) of the Public Sector Management Act, no instructions are to be given by Ministerial Office staff to RIA employees on the manner in which they are to perform their functions other than with the agreement of the CEO who is the employing authority.

In circumstances where it is desirable that Ministerial Office staff ask for advice of an RIA officer, this will require the agreement of the CEO or his/her delegate which
may be given verbally or electronically. This requirement ensures the preservation of clear lines of accountability and responsibility as well as the authorised integrity of the information provided.

5. Communications from the Ministerial Office to the RIA

Communication requirements are categorised into various levels and dealt with differently according to their potential impact as outlined below.

For all urgent matters, if the persons mentioned are not available, the Minister’s Office may address the request to such responsible and relevant persons as are available. The appropriate contact points within the RIA are attached.

a) Routine requests for information or research.
Routine requests largely encompass items related to core business of the RIA. These should be marked to the attention of the Executive Assistant. Routine communication initiated by the RIA will be directed to the relevant Policy Adviser or Chief of Staff.

Matters related to the Minister’s agenda for meetings with the CEO should be directed to the Executive Assistant.

b) Requests for briefing notes and answering of Ministerial correspondence.
All requests should go to the RIA marked to the attention of the Executive Assistant. Ministerial Office staff will be responsible for indicating by means of a Ministerial instruction, the form of the reply for Ministerial correspondence (for example, draft reply, comment) and the due date.

Routine Ministerials should be allocated 10 working days, correspondence from Members of Parliament should be allocated 5 working days, correspondence from the Premier’s office should be allocated 3 working days and requests for re-drafts should be allocated 3 working days to complete.

Urgent requests that require a shorter turnaround timeframe are to be negotiated between the Minister’s office and the nominated agency officers.

c) Response to Parliamentary matters and any urgent matters.
Where information is required to advise Parliament or is otherwise required urgently, the request can be addressed to the RIA’s CEO or Executive Assistant. For questions without notice required urgently, if the persons mentioned are not available, they may be addressed to such responsible and relevant persons as are available on the contact list.

d) Request for Clarification.
Where information has been requested and provided but in the opinion of the Minister or the Ministerial Office staff it leaves some point unanswered or is unclear, a request for clarification is to be directed to the Executive Assistant.

e) Requests for media enquiries.
Requests for responses to media enquiries should go direct to the RIA’s Manager Corporate Communications. The RIA’s CEO and Executive Assistant are to be copied in. All issues/instances that may or may not generate a media enquiry will be communicated to the Minister’s Media
Adviser who will then determine the appropriate course of action in respect to informing the Minister.

f) Requests for Cabinet comments, Government reporting requirements or any other matters.
All requests should go to the RIA marked to the attention of the Executive Assistant. All comments and advice from the RIA must be signed by the CEO prior to submitting to the Minister's Office.

g) Requirements involving the RIA in committing resources beyond the normal functions and duties of RIA officers.
All such requests should be directed to the CEO, or if unavailable, and the requirement is urgent, to a delegated officer. These requests should preferably be put in writing, although at times this may not be possible. If a delegated officer deals with the arrangement, the delegated officer must subsequently advise the CEO either verbally or in writing.

6. Communications from the RIA to the Minister’s Office
For all communications where the RIA has provided a response, a covering email will specify that the CEO or his/her delegate has noted and endorsed the response before it is sent from the RIA.

7. Communication between the RIA and the Office of a Minister responsible for another portfolio
All communications between the RIA and the office of another Minister should be directed through the Minister's Office, except where the Minister's Office requests otherwise.

8. Cabinet Matters
All communications relating to matters before Cabinet, or about to come before Cabinet, must be directed through the Office of the Minister, except where explicitly requested to do otherwise. It will be the responsibility of the Minister's Office staff to keep the RIA staff informed of Cabinet issues in a reliable and timely manner.

All Cabinet papers between the Minister's Office and the RIA will be sent under confidential cover.

9. Performance standards in communications and dealings between Ministerial Office staff and employees of the RIA
The RIA will adhere to the timeframes as set by the Minister's Office and if a timeframe cannot be met, the RIA will liaise with the Minister's Office on an agreeable date for all parties.

10. Resolution procedure for breach of the agreed written arrangements
Should any difficulties arise with these arrangements, the Minister (or nominee) and the CEO will discuss and resolve the situation, if necessary recommending changes to policy and practice.

11. Alteration of Agreement
This agreement may be altered by agreement between the parties.