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Senior Executive Service Case Study – Queensland

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SENIOR EXECUTIVE SERVICE CASE STUDY – QUEENSLAND

By Professor Brian Head (UQ) and A/Prof Linda Colley (CQU)

PREFACE

This ANZSOG Research Insights paper is one of a series of eight case studies which summarise how senior executive arrangements in the public service have evolved since the 1980s in Australia. The series includes the Commonwealth, all six states and the Northern Territory. The papers cover the legislative and policy changes that have influenced the work of each public service over recent decades, and provide a snapshot of recent arrangements for senior public servants in each jurisdiction through to around 2021.

The papers are being published as a resource that may assist students and researchers who want to understand more about the comparative arrangements across jurisdictions.

The papers were compiled by a research team led by Brian Head, Professor of Public Policy at the University of Queensland, and Linda Colley, Professor of Work and Employment at CQUniversity. Valuable research assistance was provided by Shelley Woods, Chris Salisbury and Prue Brown. The research team is grateful to a network of contact officers in each jurisdiction who assisted in checking the accuracy of the materials. They are not responsible for any errors or oversights that remain.

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Glossary

OPSME – Office of Public Service Merit and Equity
 OPSPM – Office of Public Service Personnel Management
 PSB – Public Service Board
 PSC – Public Service Commission
 PSMC – Public Sector Management Commission
 SDPC – Service Delivery and Performance Commission
 SES – Senior Executive Service

1 Queensland governments, public service institutions and commissioners

Table 1. Summary of election, government and institutions

Took Office	Left Office	Premier	Party	Institution	Public Service Commissioner	Balance of power?
Re-elected Oct 2020 14 Feb 2015		Annastacia Palaszczuk	Labor	Public Service Commission	Robert Setter (Chief Executive) since Feb 2015	Majority 2017- Minority Feb 2015 – Dec 2017, with Independents)
26 Mar 2012	14 Feb 2015	Campbell Newman	LNP	Public Service Commission	Andrew Chesterman (Chief Executive) Ian Maynard until 2013	Majority
13 Sep 2007	26 Mar 2012	Anna Bligh	Labor	Public Service Commission (from July 2008) Office of the Public Service Commissioner	Margaret Allison Bruce Wilson (PSC Chief Executive, from Jul 2008) James Purtill (Public Service Commissioner)	Majority
20 Jun 1998	13 Sep 2007	Peter Beattie	Labor	Office of the Public Service Commissioner Office of Public Service Merit and Equity	James Purtill (from Jul 2006) George O'Farrell (from Nov 2003) (formerly Executive Director, OPSME) Rachel Hunter (Commissioner, OPSME, from Dec 2000) Glyn Davis (acting) Brian Head (Commissioner, 1998–2000)	Majority (minority Jun 1998 – Feb 2001, with support of Independent)
19 Feb 1996	20 Jun 1998	Rob Borbidge	Nationals	Office of the Public Service	Kevin Wolff (Commissioner, from mid 1996)	Minority coalition (with an Independent)
7 Dec 1989	19 Feb 1996	Wayne Goss	Labor	Public Sector Management Commission	Brian Head (Chair from 1994) Peter Coaldrake (inaugural Chair)	Majority
25 Sep 1989	7 Dec 1989	Russell Cooper	Nationals	Office of Public Service Personnel Management	Russell Roberts (Director)	Majority

1 Dec 1987	25 Sep 1989	Mike Ahern	Nationals	Office of Public Service Personnel Management	Russell Roberts (Director, OPSPM, from Sep 1987)	Majority
8 Aug 1968	1 Dec 1987	Joh Bjelke-Petersen	Nationals	Public Service Board	Col Brennan (Chairman) L.G. Lawrence; Col Douglas; John Andrews; David Muir; R.H. Fields; David Longland	Majority (in coalition with Liberals until Aug 1983)

2 Queensland public service reform context – governments, policy and legislation

2.1 Historical background – 19th century

Queensland's first Governor, George Bowen, indicated his aspiration to create a bureaucracy that emulated the best qualities of the British Civil Service, with promotion based on merit rather than seniority, as advocated in the 1854 Northcote-Trevelyan report. However, the new Queensland Parliament favoured "a system that served their own needs" (Lauchs & Staines, 2009, p. 1).

Several attempts were made to calibrate the public service through inquiries, legislation and governance oversight. Queensland's inaugural public service legislation, the *Civil Service Act 1863*, made some progress towards a unified public service but made little progress towards the merit principle (Colley, 2004). By the mid-1860s, both the government and the public service were under attack "due to public concerns about the effectiveness of the Act and the mismanagement of promotions and pay increases" (Colley, 2004, p. 101). An 1866 Select Committee on the Working and Organisation of the Civil Service identified a failure of the merit principles, noting that salary increments and promotions were granted regardless of quality of service. The legislation was ineffective and repealed three years later in an unprecedented action of Parliament, leaving government employees unregulated for two decades (Colley 2004, Lauchs & Staines, 2009).

By the late 1880s there was growing pressure in all Australian colonies to replace patronage with a "proper system of recruitment, promotion and remuneration" (Colley, 2004). A campaign by Queensland public servants concerned about their lack of rights led to an 1889 Royal Commission that criticised the prominence of political appointments, "condemned the ad hoc system" and prescribed new legislation (Colley 2004, p. 104; Lauchs & Staines, 2009). The main provisions of the resulting *Civil Service Act 1889* supported the Northcote-Trevelyan model. The Act established the first personnel agency – the Civil Service Board – to make fairer and more transparent employment decisions, manage entrance examinations and order of merit, and clear out those deemed unfit for service (Colley, 2009). In 1896, the Civil Service Board was replaced with a Public Service Board. Rendered ineffective by political interference, some critics – including MPs – perceived the new Board as "the puppet of ministers" (Colley, 2009, p. 4; Lauchs & Staines, 2009, p. 2).

The 'squattocracy' held more than half the seats in Queensland's first legislative assembly in 1860 (Colley, 2004, p. 97). Three of the first five Premiers were Squatter Conservatives, with 26 conservative government coalitions and numerous premiers in the first 56 years of the Queensland Parliament (Colley 2009).

2.2 Federation to World War II

In 1901, the year of Federation, a *Public Service Act Amendment Act* replaced the members of the Public Service Board with Cabinet ministers, eliminating any trace of independent governance of the public service (Lauchs & Staines, 2009). In 1905, plural voting, which allowed men to vote in any electorate where they held property, was abolished. The same year, women were granted the right to vote, but were unable to stand for election to Parliament (ABS, 2009).

Queensland's first Labor government was elected in 1915 and led by T.J. Ryan. After more than five decades of conservative governments, the Labor Party dominated for the next half century, holding power through most of the period from 1915 to 1968 (Colley 2009). The Ryan Government founded state enterprises, allowed women to be elected to Parliament, and clarified (via the Privy Council) the constitutional power of state parliaments to legislate authority within their own boundaries (Murphy, 1975). Queensland's first female MP, Irene Longman, was elected to the seat of Bulimba in 1929 (ABS, 2009).

During Ryan's first term, some 800 bills were rejected by the Legislative Council, in which men of wealth and property were appointed for life by State Governors (Queensland Parliament, 2018). When Ryan moved to Federal Parliament in 1919, he was succeeded as Premier by Treasurer Ted Theodore. The abolition of the unelected Upper House was an important issue in the 1920 election and the Labor Government of Ted Theodore was re-elected with a narrow majority. Queensland's Legislative Council was abolished in 1922, with further amendments to the Constitution Act by the Forgan Smith Labor Government providing that an Upper House could not be reintroduced without the approval of Queenslanders at a referendum. Queensland remains the only Australian state with a unicameral parliament.

Public sector unions remained dissatisfied with political influence over appointments, protesting over a new classification structure in 1918 (Colley, 2009). The resulting Story Royal Commission recommended a new central authority to govern the public service. The Public Service Board, which had maintained direct political control over the public service for two decades, was replaced with a Public Service Commissioner via the *Public Service Acts Amendment Act 1920*, granting the Commissioner control over most employment matters – thus ushering in an era of independence from ministerial control (Lauchs & Staines, 2009). J.D. Story was appointed (with bipartisan support) as Queensland's first Public Service Commissioner – a position he would hold for the next 20 years.

The *Public Service Act 1922* cemented the position of Public Service Commissioner, leading to more than four decades of relative stability in the statutory oversight of public servants. The Act further limited ministerial control by granting the Industrial Arbitration Court the power to set pay and standards for most employees, with the terms and conditions of senior officers to be determined by Parliament (Lauchs & Staines, 2009). Opportunities for patronage were reduced, with the power over temporary employment transferred to the Commissioner (Colley, 2009). On the downside, the 1922 Act further restricted the career prospects of women. The 1920 Act had already introduced different pay scales for men and women, with the 1922 amendments regulating against the employment of married women. Women were also forbidden from supervising men and a later 1932 regulation restricted women to clerk-typist positions.

After governing Queensland since 1915, the Labor Party lost the 1929 election to the Country and Progressive National Party under Premier Arthur Moore, who inherited a severe economic crisis. While not overtly politicising public sector employment, the Moore government "intervened extensively" in public service employment conditions (Colley 2009, p. 6). This led to a concerted campaign against the government by public service unions and the

re-election of Labor in 1932, which retained government for a decade under Premier William Forgan Smith. The Labor government reversed some of the previous government's actions, returning public servants to the jurisdiction of the Industrial Court and gradually restoring their previous salary levels (Colley, 2009).

2.3 Post-War Queensland

As WWII ended, Queensland's population had eclipsed the one-million mark, with half the governmental workforce employed in the railways (Coaldrake, 2005). A free hospital service was established in 1946 (ABS, 2009). Queensland had its first female Federal parliamentarian in 1947 – Senator Annabelle Rankin (also the first female federal minister) (ABS, 2009). Labor still held power in Queensland through to 1957. Premier Frank Cooper had uncoupled the roles of Premier and Treasurer in 1944 – a novelty at the time – with the new Treasurer, Ned Hanlon, assuming the premiership in 1946 until his death in 1952 (Coaldrake, 2005), and was succeeded by Vince Gair.

The late-1940s saw strikes by meatworkers (1946) and railway workers (1948) and the introduction of the 40-hour week (1948) for most Queensland workers (Costar, 1996). Public service entry and retirement ages had been relaxed during World War II due to staff shortages. When these difficulties persisted into the 1950s, a new classification scheme was introduced, with higher salaries comparable to those for public servants in other states (Colley 2009).

During the first term of the Gair Labor government in 1953, “industrial conflict had waned, economic conditions had stabilised and the Opposition was weak” (Costar, 1996). But Gair was keen to break the hegemony of the Australian Workers Union, restrict the influence of the Trades and Labour Council and fight communism in the union movement (Costar, 1996). When Gair refused to extend three weeks' annual leave to workers under state awards, the right and left of the union movement united to bring Gair down, culminating in his “dramatic expulsion” from the Queensland Labor Party in 1957 (Costar, 1996).

2.4 Conservative governments – 1957 to 1989

More than a quarter century of Labor rule ended in 1957 with the defeat of a supply bill in Parliament and a loss to the Country Party at the ensuing election (Costar, 1996). Contrary to election commitments, the government of Frank Nicklin did not introduce a Public Service Board, but the classification structure was streamlined and substantial salary increases were awarded in an effort to secure the confidence of the public service (Colley, 2009).

By the late 1960s, it was perceived that the public service had grown too large to be administered by a single commissioner. The *Public Service Act Amendment Act 1968* abolished the role (established in 1920), replacing it with a three-member Public Service Board. Management of promotions were devolved to permanent heads of departments, while senior officers were returned to the control of Ministers (Colley, 2004; Lauchs & Staines, 2009). Amendments in 1973 established the role of Deputy Commissioners to support the board leadership.

Nicklin had led the government for a decade and the Country Party since 1941. His retirement in January 1968 after several weeks in hospital was followed by a turbulent year in Queensland politics, with three more Premiers before the year was out (Wanna & Arklay 2010). Deputy Leader of the Country Party Jack Pizzey took the reins until his sudden death on 31 July – when Australia was already reeling from the disappearance of Prime Minister Harold Holt. The next most senior member of the Coalition, Liberal Party Treasurer Gordon

Chalk, took over for eight days until the Country Party replaced him with Joh Bjelke-Petersen (Wanna & Arkley, 2010).

The fourth Premier in a year, Bjelke-Petersen went on to win the 1969 election and would remain Premier for the next 19 years. During that time, Coalition governments intervened in public employment matters, weakening the conventions of a career public service to the lowest point in Queensland's history (Colley 2009). There was, however, some progress for female public servants. The removal of the 'marriage bar' in 1969 (three years after it was lifted by the Commonwealth Government) enhanced opportunities for women to compete on their merits in the public service, allowing them to maintain employment after marriage. However, departmental approval was still required until 1973 (Qld Govt, 2019a). In 1972, access to positions for women were expanded beyond clerk-typists to the broader category of clerks – but still without equal pay (Colley 2009, p. 8). In 1973, girls with a senior certificate were permitted to sit the entrance exam on the same terms as boys (Lauchs & Staines, 2009).

It is widely accepted that the National Party governments of the 1980s further politicised the public service (Colley, 2006). Interference in employment relations escalated after the collapse of the National–Liberal Coalition in 1983, allowing the Nationals to rule in their own right. The Public Service Board was further weakened, with most recruitment decisions devolved to departments, further compromising career service conventions (Colley, 2009). Tenure was weakened through casual and contract employment, consultancies and privatisation of public service functions (Colley, 2005a).

In late-1986, soon after the state election, the Bjelke-Petersen Government established a Public Sector Review Committee headed by well-known National Party identity Ernest Savage (Colley, 2004). In the first major review of the public service since the Story Royal Commission in 1918, the Savage Report made far-reaching recommendations about personnel management, including the abolition of the full-time Public Service Board and its replacement with a part-time Board, along with establishment of an Office of Public Sector Personnel Management (Colley, 2004). Contracts for senior staff and the development of a Code of Conduct were also proposed (Lauchs & Staines, 2009).

Savage's private sector-style recommendations gave unfettered autonomy to Ministers and permanent heads and weakened the career service conventions. Unions campaigned heavily against the new legislation's attack on Westminster principles and political control of the public service, to no avail (Colley, 2009, p. 9).

The accepted recommendations of the Savage Report were included in the *Public Service Management and Employment Act 1988*, which dissolved the Public Service Board, replaced it with the Office of Public Service Personnel Management (OPSPM) and generally weakened merit protection (Colley, 2005). Initially established in the Premier's Department, the OPSPM later moved to Treasury. It had little control over personnel issues and no action was taken to appoint a part-time Board, which might have diluted political interference in personnel decisions (Colley, 2004). Control over senior appointments and chief executive contracts was granted to Ministers (Colley, 2009). Government interference in public service employment conditions escalated, wage negotiations were thwarted, leave loading and flexible working hours were cut, and industrial action increased (Colley, 2004).

Escalating privatisation plans – including for prisons, children's services and information technology services – posed additional threats to the public service, while tenure was also under threat through a redeployment and redundancy scheme in late 1987 (Colley, 2004).

From January to May 1987, the news media ran a series of stories on organised crime and police misconduct in Queensland. At the end of May, Acting Premier Bill Gunn appointed Tony Fitzgerald QC to head a *Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct*. A subsequent extension of the terms of reference allowed Fitzgerald to also examine evidence of political corruption (CCC, 2019). The Inquiry findings reverberated around the country, focusing public attention on integrity and accountability in public office.

The Inquiry was heavily critical of the existing recruitment process, which allowed merit to be ignored and personal or political loyalties rewarded. There was little or no advertising of vacancies, subjective judging of merit, and an over-emphasis on base-grade recruitment with little lateral recruitment to other levels (Colley, 2005b, p. 142).

In November 1987, Bjelke-Petersen was replaced as National Party leader by Mike Ahern, who committed to implementing the outcomes of the Fitzgerald Inquiry “lock, stock and barrel” (Reynolds, 2002). The Fitzgerald Report (July 1989) made more than 100 recommendations, including the establishment of the Electoral and Administrative Review Commission (EARC) and the Criminal Justice Commission (CJC), and reform of the Queensland Police Force (CCC, 2019). Two months after the tabling of the Fitzgerald Report in Parliament, Ahern was deposed in a party room coup, with his replacement Russell Cooper losing at the polls just two months later (Reynolds, 2002).

2.5 Public sector reform under the Goss Government

On becoming Leader of the Opposition in March 1988, Wayne Goss hired Kevin Rudd as his principal private secretary and presented Shadow Cabinet with a 20-page proposal for the reform of the public service in August (Schultz, 2008). Labor won the December 1989 election with a 24-seat majority, but inherited a legacy of corruption, underinvestment in education and social services, and a looming recession (Schultz, 2008). After the loss of trust in government administration brought about by the revelations of the Fitzgerald inquiry, the election was seen by many in the state bureaucracy as “an auspicious event” (Wanna, 1992, p. 74).

After three decades of conservative rule, Premier Wayne Goss set out to overhaul the public service, restore career service conventions and respect for independent, expert public service advice, and ‘catch up’ with the rest of Australia in terms of executive and policy coordination (Colley, 2009; McMonagle, 2012; Wear, 2011). Restoring merit was an important focus, with public servants promised that “talent and performance” rather than “cronyism or seniority” would determine their career path (Colley 2006, p. 183).

Goss faced resistance to the reform agenda on many fronts. Senior bureaucrats resisted reduction of the number of government departments from 27 to 18. Schultz (2008) described this as “hand-to-hand combat” with the public service. Some department heads were advised they were no longer required, while other senior bureaucrats were sidelined to a building described by some as a “gulag”. Opposition Leader Russell Cooper (1990, p. 116) described the actions as “a bloodbath like nothing seen in the government of this country before”. While replacing senior public servants after a change of government, particularly after so long in opposition, was not a new phenomenon, the ‘gulag’ drew particular criticism. And while it is expected for an Opposition to criticise government policy, even those who became part of the reform team found some of the early decisions of the new government “inappropriate” (Head, 2009).

Goss took expert advice from political scientists, setting the pace for senior bureaucratic appointments over the next six years (Schultz, 2008). A “high-powered ‘machinery of government’ group” (a Cabinet sub-committee plus advisers) set about restructuring government departments (Wanna, 1992, p. 75). The government created several new positions, including Kevin Rudd as Director-General of the new Office of Cabinet. Rudd acknowledged that major public sector restructuring would cause “pain and disruption” (quoted by Wanna, 1992, p. 76). Both as Goss’s Chief of Staff, then Head of the Cabinet Office, Rudd was a driving force in reform of the Premier’s department, restoring the role of the public service as the key source of policy advice (Head, 2009).

The decade from the late-1980s to the late-1990s witnessed the largest volume of public sector legislation in Queensland history, with a raft of reformist legislation enacted between 1989 and 1994 (Lauchs & Staines, 2009). The *Electoral and Administrative Review Act 1989* enabled some of the recommendations of the Fitzgerald Inquiry to be unpacked and implemented. Aside from investigation of the electoral system and operation of the Parliament, the Electoral and Administrative Review Commission (EARC) was tasked with examining the public administration of the state.

The *Public Sector Management Commission Act 1990* abolished the OPSPM and established the Public Sector Management Commission (PSMC), granting it responsibility for “the development of ‘management standards’ designed to protect and promote equity and merit sector-wide” and to “improve the efficiency, effectiveness, economy and impartiality in the management of the public sector” (Selth, 1991, p. 423). The PSMC’s three Commissioners were “required to act independently, impartially, fairly and in the public interest”, and this institution was in stark contrast to the diminishing influence of the Public Service Board in the late 1980s (Colley, 2006, p. 182). Headed by Peter Coaldrake, the other Commissioners were political scientist Glyn Davis and federal public servant Philip Selth (McMonagle, 2012). The PSMC was assisted by a Public Sector Management Advisory Board, a Commissioner for Public Sector Equity and a Classification Review Tribunal. Along with a new Public Service Ombudsman, these bodies were designed to complement both EARC and the Criminal Justice Commission (CJC) that had been created as part of the Fitzgerald reforms.

The *Public Sector Management Commission Regulations 1991* provided standards for recruitment and selection processes, remuneration, performance management, professional development and other human resources practices (Selth, 1991).

Queensland’s Senior Executive Service (SES) was established by the *Public Sector Legislation Amendment Act 1991*, with the *Public Service Management and Employment Amendment Regulations (No. 2) 1991* setting SES salary brackets and entitlements, making public what had previously been “hidden” contract entitlements (Beattie, 1991).

The ethics and equity of the Queensland public service was enhanced by legislation resulting from the EARC review process, including the *Equal Opportunity in Public Employment Act 1992*, the *Public Sector Ethics Act 1994* and the *Whistleblowers Protection Act 1994*, which provided protection for those reporting maladministration or corruption (Lauchs & Staines, 2009). The Public Sector Ethics Act covered all public sector organisations, including universities and local governments, outlining five fundamental ethical obligations: “respect of the law and the system of government; respect for persons; integrity; diligence; and economy and efficiency” (APSC, 2003, p. 23).

In its first six months, the PSMC reviewed three departments and the public service remuneration framework, introduced a human resources management policy – requiring appointments to be made on merit – and laid the groundwork for a Senior Executive Service (SES) (Stewart, 1990). The SES was established on 1 July 1991 and is discussed in more

detail in Section 3 – *SES Policy Changes*. The upskilling of public servants was also addressed with the establishment of the Queensland Public Sector Training Council in June 1992 (Cork, 2006).

In reviewing government agencies, the PSMC encountered a number of ‘fiefdoms’, and faced antagonism from department heads who felt their autonomy challenged and their agencies disrupted (McMonagle, 2012; Stewart, 1990). There had been limited interaction between agencies, some of which had become akin to “independent principalities” from which lateral moves were discouraged (Selth, 1991, p. 423). The departmental reviews demonstrated, however, that

... despite nepotism and the legacy of sectarian appointments ... most of the public servants were not corrupt, just 'simple folk doing their jobs as well as they could' but unaccustomed to hard work, close scrutiny or high expectations (Schultz, 2008).

The Queensland public sector had thus far been immune from the reviews and inquiries that had transformed the public service landscape in other jurisdictions (Selth, 1991). It had grown in an ad hoc manner and as a “closed shop”, whereby interstate candidates were ineligible to have their leave and other entitlements recognised or transferred (Selth, 1991). The top level was almost homogeneously made up of Queensland public servants (Selth, 1991). The opening of new vacancies to national competition was a novel initiative. Even though 84% of vacancies for senior positions were still filled by Queenslanders, there were accusations of jobs for “Labor mates” and “Mexicans” (Colley, 2005a, p. 152). While the PSMC was a harbinger of much-needed change, to its opponents the Commissioners were a “razor gang” made up of “refugees from academia” and “self-serving carpetbaggers from the deep south” (Selth, 1991, p. 422).

The rapid pace of reform led to implementation difficulties. Coaldrake reflected that while many public servants welcomed the opportunity for reform, “it is one thing to be supportive of the spirit of reform – but it is another thing to accept the effects of reform” (quoted by McMonagle, 2012, p.1). The Queensland public service was “unaccustomed to change and ill-equipped to handle it” (Cork, 2006, p.ii). The pace of change meant that an entrenched culture was unable to transform at the same speed (Selth, 1991). Many perceived the top-down reforms as “authoritarian” due to lack of detailed engagement and communication with public servants, and some of those tasked with implementing change in their own agencies were unclear about what was required of them (Cork, 2006, p. 90).

While initially the need for reform was perceived positively, many public servants began to criticise the program of comprehensive change, with middle management and public sector unions becoming “cynical about the government’s intentions” (Wanna, 1992, p. 75). The development of management standards was “the subject of vigorous debate” between the Commission and the unions (Selth, 1991, p. 423). Although public sector unions were reluctant to publicly oppose the first Labor government in three decades, “growing unease among members” led to industrial action and street demonstrations, with opinion polls suggesting a swing against the government by union members (Wanna, 1992, p. 77). While the PSMC considered that unions were “stifling reform”, unions noted that the reforms had created such resentment that 5000 public servants had marched on the Executive Building in their own time (Colley, 2006, p. 183).

A review of the PSMC’s reform program in 1993 “acknowledged the difficulty of being a change agent in a public sector unaccustomed to large-scale change and unfamiliar with modern management systems” (Colley, 2009, p. 185). While commending its achievements in

behavioural and cultural change, the review recommended a revised role for the PSMC, with an enhanced focus on “consultation and facilitation” (Colley, 2006, p. 185). Succeeding Coaldrake as PSMC Chair in 1994, Brian Head acknowledged that the public service had been “restructured to death”, needing some respite from constant change, and set out to restore stability (Head, 2009).

After winning the 1995 election with a majority of one, Labor lost government in a by-election in 1996, allowing the Nationals to form a minority government after re-negotiating a Coalition arrangement with the Liberal Party (Green, 1996). The PSMC’s inattention to culture and context contributed to the downfall of the reformist Goss Government, which led to the subsequent unravelling of the reforms by the subsequent National Party government (Colley, 2006).

2.6 Borbidge Government

The new Nationals-led government had an agenda of smaller government. Queensland had not faced the pressures of unmanageable debt experienced in other states, and Goss had been able to resist political pressures to privatise state assets, preferring instead to corporatise some Government Business Enterprises (GBEs) to enhance efficiencies (Colley & Head, 2013). On assuming minority government in 1996 with the support of Independent MP Liz Cunningham, Premier Rob Borbidge announced his government’s intention to contract out government services and privatise government enterprises – consistent with conservative ideology of small government (Colley & Head, 2013). Following the lead of Victoria and South Australia a few years earlier, a Commission of Audit was established to review the State’s finances. The Commission recommended a range of state assets for privatisation, including gambling-related assets, motorway companies and port authorities, market and abattoir enterprises, and a tourist agency (Colley & Head, 2013). Given that the Commission found Queensland’s balance sheet to be strong and public services delivered comparatively effectively, there was no clear rationale for widespread or expeditious reform. As such, the privatisation agenda was initially limited to state-owned banking and insurance enterprises (Colley & Head, 2013).

Borbidge also made changes to the public service leadership, including the abolition of the Cabinet Office and the PSMC. Senior executives were dismissed, received notices of termination or accepted separation packages (Griffith, 1996). The Borbidge Government was then accused of recruiting a “Dad’s Army” of retired senior bureaucrats to fill the vacated Director-General positions (Griffith, 1996). Some who had been sacked or sidelined by the Goss Government were reinstated (Head, 2009). Opposition Leader Peter Beattie complained that six of the 14 new CEOs had received ‘golden handshakes’ seven months earlier and argued that some of the National Party appointees ought to have been appointed to ministerial offices rather than the public service (Griffith, 1996).

The Borbidge Government introduced new public service legislation and abolished the PSMC. Public servants had been nervous about a change of government and the prospect of “reverse change” under a new regime (Head, 2009), noting that the public service subsequently “lost a lot of drive”. The *Public Service Act 1996* repealed the Goss Government’s legislation, establishing the Queensland public service as “an apolitical entity responsive to Government needs and competent to provide services in a professional and non-partisan way”. It established the Office of the Public Service (in place of the PSMC), with Kevin Wolff appointed as inaugural Commissioner. Borbidge claimed the new Office would be results oriented to replace the central control and costs of the PSMC (Colley, 2004). Contracts for SES officers were introduced, allowing for political and administrative

interference that led to self-censorship among senior bureaucrats, thus stifling internal policy debate (Colley, 2005b).

In the late 20th century, government reforms weakened career service conventions, tipping the balance in favour of “responsiveness over independence” (Colley, 2009, p.2). While the Queensland experience has similarities to other Australian States, “the tensions are arguably greater in Queensland’s unicameral system where politicians are accustomed to direct control over matters with minimal review” (Colley, 2009, p.2).

The Queensland case study demonstrates a clear correlation between commitment to merit and political party. The weakening of merit occurred initially under a conservative government, was rejuvenated under the Goss Labor Government, and then weakened again under the subsequent conservative Borbidge Government (Colley, 2005b, p. 146).

2.7 The Beattie Government

Labor regained power at the 1998 election led by Peter Beattie, forming a minority government with the support of Independent MP Peter Wellington. Labor’s return to power was preceded by an electoral storm whereby One Nation won 11 seats in Parliament. After winning a by-election in Musgrave, Labor was able to form a majority government. The Office of the Public Service was rebadged as the Office of the Public Service Commissioner. Re-elected as Premier three times – including a landslide victory at the 2001 election – Beattie became the second state Labor leader in Australian history (after NSW Premier Neville Wran) to win four consecutive elections (Schultz, 2008). This was despite a series of scandals (electoral rorts affair 2000; Energex crisis 2004; health crisis 2006; and blackmail charges against a former minister in 2008). The sale of state assets that had been listed by the previous government’s Commission of Audit – a travel agency, lottery office and betting agency – raised little public attention or controversy (Colley & Head, 2013).

When the first Beattie Government was sworn in, a number of senior public servants who had been dismissed by the Borbidge Government or had left voluntarily – including Glyn Davis – were returned to office. One reappointed Director-General began his first meeting with staff, “As I was saying before I was rudely interrupted” (Bob Marshman, quoted by Schultz, 2008). Brian Head, former head of the PSMC, became Public Service Commissioner. Head later recounted some discomfort being directly appointed to a position, when part of his job was to “sort out the messiness of senior appointments” (Head, 2009).

In contrast to the Goss Government, Premier Beattie was more focused on service delivery than institutional change (Head, 2009). The public service was his preferred provider of services, and he sought stability through limiting organisational restructuring (Colley, 2016). The Office of the Public Service Commissioner was abolished in August 2000, with its functions split between the Department of Industrial Relations, DPC and a new Office of Public Service Merit and Equity (Colley, 2004). Further strengthening Queensland’s public sector ethics framework in 2000 was the appointment of Australia’s first Integrity Commissioner to advise senior public officials on conflicts of interest and public integrity standards (APSC, 2003). The Service Delivery and Performance Commission (SDPC) was established in 2005 “to review and improve the performance of the public service to meet the service expectations of the Queensland community” (*Service Delivery and Performance Commission Act 2005*).

Beattie considered his government’s signature *Smart State Strategy* as his greatest achievement (Beattie, 2010). Intended to diversify Queensland’s economy, reduce its reliance

on agriculture and resources and move towards a 'knowledge economy', the Strategy also enhanced cross-agency collaboration and whole-of-government coordination (Prasser, 2007). Announcing his retirement in September 2007, Beattie handed the mantle to Anna Bligh – the first female leader of the Queensland Labor Party and first female Premier. Two months later, Kevin Rudd was elected as the first post-war Prime Minister from Queensland.

2.8 Bligh government

Anna Bligh inherited a large majority in Parliament, a healthy budget surplus and the lowest unemployment rate in 34 years, but the looming Global Financial Crisis (GFC) would soon wipe more than \$4 billion from the state coffers (Williams, 2010, p. 224).

In March 2008, Premier Bligh announced public sector reform initiatives, including the creation of a new Public Service Commission by amalgamating the Service Delivery and Performance Commission with the Office of the Public Service Commissioner (Bligh, 2008). A new Public Service Bill was passed in May. While repealing the Borbidge Government's *Public Service Act 1996*, the *Public Service Act 2008* maintained most of the provisions of the previous legislation, including confirmation of the requirement for SES contracts. Aside from the creation of the Public Service Commission, the new Act introduced a 'Chief Executive Service', renamed the Public Service Commissioner as 'Chief Executive', removed a number of exemptions to the merit principle, and strengthened the provisions for diversity in public sector employment (Lauchs & Staines, 2009). An independent review of State Government boards, committees and statutory authorities recommended the abolition, merger or sale of almost half (218) of more than 450 existing bodies (Webbe & Weller, 2009; Williams, 2010).

Labor's majority was reduced at the 2009 election, losing several seats to the Liberal-National Party (LNP). While Queensland was in a stronger financial position than some of its state counterparts, the Bligh Government implemented a major departmental restructure, consolidating 23 departments into 13 'super departments', implementing strategies both to respond to the GFC and to deal with surplus staff issues arising from the restructure (Bligh, 2009; Colley, 2012). A voluntary early retirement scheme was offered to senior officers in non-frontline roles in 2009, with savings to be directed to front-line service delivery. Broader voluntary separation schemes were announced in both the 2011 and 2012 mid-year budget reviews for 3500 officers in non-front-line positions in each year (Colley, 2012).

To strengthen public sector integrity provisions, the *Public Interest Disclosure Act 2010* encouraged confidential disclosure of suspected wrongdoing, e.g. corruption, maladministration or misuse of public resources, and made reprisals against disclosers an offence (Qld Ombudsman, 2020). In 2012, a Bill was introduced to refocus the Public Service Commission "away from a regulatory function towards a public sector efficiency agenda". The *Public Service and Other Legislation Amendment Act 2012* amended the *Industrial Relations Act 1999*, the *Public Sector Ethics Act 1994*, the *Public Service Act 2008* and the *Public Interest Disclosure Act 2010*. The appeals function was transferred from the PSC Chief Executive to the Queensland Industrial Relations Tribunal (QIRC) and oversight of public interest disclosures were transferred to the Queensland Ombudsman. In addition, public servants were required to undertake ethics training on induction and on a regular basis.

As the financial crisis worsened, the government was forced to make tough budget decisions, including asset sales (Colley, 2012). While the LNP had proposed up to 37,000 public service job cuts and privatisation of state assets, Labor had campaigned on a job creation platform and extensive infrastructure program (Colley, 2016). Within weeks of the election, but not foreshadowed during the campaign, Premier Bligh announced a program of asset sales, including a forest plantation, tollways, ports and the freight arm of Queensland Rail (Colley &

Head, 2013). Labor had traditionally been pragmatic rather than ideological about privatisation, favouring public ownership of energy, water, transport and communications assets (Gallop, 2012). Despite raising \$15 billion, the asset sales initiative undermined public trust, drew flak from unions, and contributed to Labor's worst-ever electoral loss in 2012 (Quiggin, 2012).

2.9 Newman government

The election of the LNP government under Premier Campbell Newman was a turning point for the Queensland public service. Although Newman had assured public servants they had nothing to fear from an LNP government, the period was marked by large-scale and unprecedented forced redundancies, non-renewal of temporary contracts, and legislative amendments that nullified job security provisions (Grant-Smith & Colley, 2018).

Seven departmental heads were quickly despatched, to be replaced by "bold appointments" – including Brisbane City Council executives – described as "an unwelcome politicisation of the key public service roles" (Eltham, 2012). The most controversial appointment was Liberal Party identity Michael Caltabiano to lead Transport and Main Roads (Eltham, 2012).

A Commission of Audit, led by former Federal Treasurer Peter Costello, was established to report on the state's finances and suggest opportunities to outsource the provision of government services (Colley, 2016; Colley & Head, 2014). The Commission's interim report was used to justify cuts of around 20,000 public service jobs (14,000 FTE) and to renege on Newman's promise not to sell state assets in his first term (Colley, 2016). Newman blamed Labor governments for hiring too many employees (Grant-Smith & Colley, 2018). Usually non-militant public servants took to the streets in protest at the public service cuts.

The public service needs to trust that governments, regardless of political persuasion, will treat them with no less than the respect they deserve to restore faith in a system that requires both public servants and politicians to work effectively (Grant-Smith & Colley, 2018, p. 248).

In June 2012, the Newman Government announced a Public Sector Renewal Program "to refocus the public service on government priorities and support the delivery of front-line services in a constrained fiscal environment" (Elmes, 2012). Originally attached to the Public Service Commission, the program was transferred to Premier and Cabinet in October 2013 (DPC, 2014). A Public Sector Renewal Board was established – comprising the Director-General DPC, the Under-Treasurer, the Chair of the Public Service Commission, and external professional and academic appointments (former PM&C Secretary Dr Peter Shergold, former Brisbane City Council CEO Jude Munro and Professor Gary Sturgess) – to provide advice on delivery and implementation of the program.

Perhaps surprisingly, the *State of the Service Report 2013* suggested that the level of job satisfaction and staff engagement among Queensland public servants was comparable to other jurisdictions, both nationally and internationally (PSC, 2013a).

In late-2014, a Senate Select Committee was established in the Australian Parliament to examine certain aspects of Queensland Government administration under the Newman Government. Among the matters raised in the inquiry were concerns from unions about the devolution of the power and independence of the Queensland Industrial Relations Commission (QIRC), and the stripping back and watering down of employee redundancy entitlements (Select Committee, 2015, pp 6, 17).

After one term, the Newman Government lost office to Labor at the 2015 State election.

2.10 Palaszczuk government

Ahead of the 2015 election, Labor had committed to reduce the number of government departments (Scott, 2015). New Premier Anastacia Palaszczuk reduced the size of her front bench from 19 Ministers to 14 but without changing the number of departments. She reassured the public service that the new government had “the highest regard for the professionalism and independence of the public service” and vowed to restore fairness and conditions lost under the previous government (quoted by Whittaker, 2015, Feb 20). The Premier committed to a return to a Westminster-style public service to enable the provision of “frank and fearless advice” (quoted by Whittaker, 2015, Feb 20).

The Palaszczuk Government undertook a series of public service workforce initiatives, including commissioned reviews of performance management, workforce reporting, future workforce needs and public employment laws. The Public Sector Renewal Board, established by the Newman Government, was disbanded, the Public Service Commission (PSC) Chief Executive was replaced, and the Commission lost responsibility for public sector industrial relations (Whittaker, 2015, Feb 20).

In 2017, the PSC released a *10-Year Human Capital Outlook* that examined the disruptive forces and risks affecting the operation of the public service, proposing ‘strategic imperatives’ and ‘levers for change’ in the areas of talent acquisition, leadership and capability, new ways of working, and culture (PSC, 2017a, p. 9). Guided by a *3-Year Strategic Roadmap*, the CEO Leadership Board and the Strategic Workforce Council (comprising Chief HR Officers of Leadership Board agencies) were seen as the champions and drivers of workforce transformation. Agencies were expected to align their internal strategic workforce plans to the *Outlook* and *Roadmap*, while the Public Service Commission explored ways to enhance HR capability.

A Service Priority Review Office (SPRO) was established in Queensland Treasury on 1 July 2019. In partnership with DPC, the Office was asked to “drive the realisation of the reprioritisation targets, by conducting reviews of Queensland public sector agencies and programs” (Qld Govt, 2019b, p. 55). In a late-2019 Budget update, then Treasurer Jackie Trad reported that the Service Priority Review Office had already saved \$715 million, with a further \$1.3 billion forecast over the forward estimates (Trad, 2019).

The Department of Premier and Cabinet (DPC) engaged KPMG (2017) to recommend enhancements to performance management systems and processes. An international literature review identified New Zealand’s performance management model, *Better Public Services*, as leading practice. The report recommended that accountability for performance management should cascade down through agencies from Ministerial Charter Letters and CEO performance agreements, with DPC to lead whole-of-government implementation (KPMG, 2017).

In 2018, Premier Anastacia Palaszczuk commissioned Professor Peter Coaldrake (who had led the Public Sector Management Commission under the Goss Government) to review the state’s workforce data collection methodology and make recommendations on what a future public sector workforce should look like (Easton, 2018, Jul 23). In terms of the future workforce, Coaldrake considered “rejuvenation” as a “first-order priority” (quoted by Jenkins, 2019). He expressed concerns about the ‘hollowing-out’ of the public service through the outsourcing of functions and services to contractors and consultants (Coaldrake, 2018b, p. 5). In turn, oversight of outsourcing requires skills in procurement, program and consultancy

management and evaluation, which can further widen the capability gap. Coaldrake found that public service recruitment processes were “inconsistent, ... typically slow and cumbersome” and in need of an “overhaul” (Coaldrake, 2018b, p. 3). The report recommended the government make strategic workforce planning a cornerstone priority; strengthen capacity in data analytics and “horizon-scanning”; rejuvenate the workforce through recruitment and reskilling; review its employment security policy; and develop a unifying statement for its expectations of a model public service. The workforce reporting review is further discussed in Section 4 – *Workforce Data*.

In the meantime, the *Public Service and Other Legislation Amendment Regulation (No. 1) 2018* extended the application of the Queensland Public Service Code of Conduct to some prescribed public sector entities by including them as a “public service agency”. This included the Queensland Building and Construction Commission, the Gasfields Commission, and the Residential Tenancies Authority.

The same year, the Government commissioned Peter Bridgman (barrister and former senior public servant) to review Queensland’s public employment laws for the first time since the late-1980s. The terms of reference included examination of employment policies and procedures, with support provided by a Secretariat in DPC. Bridgman found the existing employment framework was “long overdue for maintenance and repair”, noting “significant problems” that needed resolution for “a fair, responsive and inclusive public sector” (quoted by Jenkins, 2020, Mar 30). He recommended that while merit be retained as the “central driver in selection and promotion decisions”, it be “expanded to reflect broader human rights criteria” (Bridgman, 2019, p. 9). He also suggested that CEOs should have the power to demote managers who were under-performing or had been promoted beyond their abilities (Jenkins, 2020, Mar 30).

Among the review’s 99 recommendations, Bridgman (2019) proposed extending the role of the Public Service Commission to the whole public sector, with a change of name to *Public Sector Commission* (and Commissioner) (p. 9; Rec. 70). Other recommendations included:

- A new Public Sector Act (Recs 1 & 2)
- A permanent public service (Rec. 3)
- Procedural fairness in the termination of Chief Executive and Senior Executive appointments (Rec. 8)
- Natural justice when ending the appointment of a statutory officeholder (Rec. 9)
- Consistent, whole-of-government management development (Rec. 14)
- Establishment of a Queensland Governance Council with oversight for implementing the reforms, determining a five-year program of reviews – of agencies, programs or themes, and “building public sector-wide change management capability, organisational resilience and workplace wellbeing” (Recs 17–19; 69)
- A Special Commissioner (Equity and Diversity) be appointed within the PSC (Recs 27–29).

The broad-ranging recommendations for reform also included a new ethics framework, pre-employment screening, processes for machinery-of-government changes, improved public sector skills, grievances and complaints management, performance management and disciplinary procedures, gender equity, salary increments and parental leave.

Recommendations relating to Chief Executives and Senior Executives are reported below in Section 3: *SES Policy Changes*.

In response to the review, the Palaszczuk Government approved the establishment of the Queensland Governance Council and the appointment of a Special Commissioner for Equity

and Diversity (PSC, 2020e). The remaining recommended legislative and policy changes were being assessed by the Public Sector Reform Office – established within DPC to partner with the PSC on implementation of the recommendations – in conjunction with a Joint Advisory Committee (PSC, 2020c; 2020e).

2.11 New Public Service Act

On 16 July 2020, the Premier introduced the *Public Service and Other Legislation Amendment Bill 2020* to Parliament. The objective of the Bill was to give effect to the first stage of public sector management reforms arising from the recommendations of the Bridgman Review. The amending legislation addressed 33 of the Bridgman recommendations, including those related to enhanced employment security, positive performance management, and clarification of the threshold for disciplinary action.

In her introductory speech, the Premier said the Amendment Bill establishes that “permanent employment is the default basis for public sector employment” (Palaszczyk, 2020a, p.1743). Other amendments provide for the appointment of a Special Commissioner “to undertake inquiries and provide advice on aspects of public administration” under the direction of the Commission Chief Executive. The Special Commissioner is granted powers “to gather intelligence and undertake reports into how the Queensland Public Service can be best positioned to ensure a culture of continuous improvement and responsiveness to a dynamic and changing world” (Statement of Compatibility, p.4). In other changes, performance management and development are distinguished from disciplinary action; the transparency and consistency of appeal decisions are strengthened; and citizenship requirements for public service employment are clarified (Palaszczyk, 2020a, p.1743). The changes were supported by the major public service union, Together (PSNews, 2020, Jul 28). The *Public Service and Other Legislation Amendment Act 2020* received assent on 14 September 2020.

Casual and temporary employees may now request conversion to permanent employment after a year of continuous employment in an agency, or appointment to a higher classification after performing in the role for more than a year (Queensland Government, 2021). Vacancies of more than six months must be advertised (previously 12 months). To support the “emphasis on the positive and proactive management of employees” contained in the amendments, new Directives were issued to include a focus on positive performance management principles (PSC, 2021b).

The Public Service Commission also led a review of the Code of Conduct and all Commission Chief Executive Directives to ensure they are compatible with Queensland’s new *Human Rights Act 2019* (PSC, 2020e).

3 The public service during global crises

This section outlines public service measures in response to the Global Financial Crisis (GFC) and the COVID-19 pandemic.

GFC

While governments in every jurisdiction adjusted the size of their public service, partisan preferences were more evident when governments changed (Colley, 2012). In Queensland, the Labor government introduced a small voluntary severance scheme, but the conservative LNP coalition government elected in early 2012 took a more aggressive approach by removing 20,000 people (14,000 full-time equivalent positions) through voluntary redundancies and forced severances (Colley, 2012; 2016).

Central agencies found it difficult to plan or manage SES employment issues during the crisis. Chief executives thwarted processes for transferring executive staff by conducting their own recruitment, circumvented SES profile controls through the use of s122 contracts and allowed extensive severance packages without simultaneous downsizing or restraint in recruitment (Colley & Head, 2015).

COVID-19 measures

In February 2020, the PSC designed and implemented the COVID-19 Employee Mobilisation Service (EMS) to facilitate the movement of public servants across agencies. In addition, a Community Recovery Ready Reserves Program deployed employees to provide information and support services to Queenslanders (PSC, 2020d).

On 23 July, Treasurer Cameron Dick announced that Queensland's total government debt would exceed \$100 billion by June 2021 due to the economic effects of the COVID-19 pandemic, with an operating deficit of \$8.5 billion for 2020–21 (Layt, 2020, Jul 24). The Treasurer said the government would continue to borrow and spend to support the state's economy: "There is no alternative. The only alternative is austerity. Cutting, sacking and selling" (quoted by Layt, 2020, Jul 24). He said while almost half of Queensland's borrowings had been accrued by State-owned corporations, asset sales had failed to help other states reduce their debt burdens (Dick, 2020, Jul 23).

Pay and pay freezes

Amid the financial challenges posed by the pandemic, Premier Palaszczuk announced in April 2020 a hold on public sector salary rises (Horn, 2020, Jun 17). Although consistent with Australian and New South Wales government policies, the announcement on morning television was not well received by public sector unions (Jericho, 2020; Smee, 2020, Apr 3). Together Union mounted a petition for public health workers awaiting their first pay increase in two years, with the State Secretary objecting to "negotiation by press release" (Smee, 2020, Apr 9). To implement the price adjustment mechanism, Industrial Relations Minister Grace Grace introduced urgent amendments to the *Industrial Relations Act 2016* on 16 June 2020.

The amendments deferred the payment of scheduled wage increases, with those due in 2020–21 to be paid a year later, and those due in 2021–22 to be paid six months later (Qld Govt, 2020: 10–11). In the meantime, the Government honoured one-off bonus payments of \$1250 to non-executive public servants that had been agreed in 2019 (Palaszczuk, 2020). Bonuses for executives of government-owned corporations were frozen for the time being (Horn, 2020, Jun 17). The Australia Institute argued that the wage freeze would cost the Queensland economy up to \$9 billion over three years, and that Queensland needed an

expanded and motivated public sector in the post-pandemic recovery (Nahum, 2020: 39). The Together union proceeded to challenge the decision in the Industrial Relations Commission.

In March 2021, the Queensland Industrial Relations Commission (QIRC) approved up to four successive pay increases of 2.5% for more than 60,000 public servants (Parnell, 2021: Jun 2). Then in June 2021, the Independent Remuneration Tribunal determined salary increases for politicians of 6.75% in three instalments between September 2021 and September 2022 (QIRT, 2021). The Together Union circulated a petition requesting that the Public Service Commissioner intervene on behalf of senior executives, who were not included in the QIRC determination and had already foregone a salary increase since 2017 (Parnell, 2021, Jun 2).

Quantity adjustments

The Queensland Labor government eschewed job cuts and sought to make savings through means other than redundancies. Treasurer Cameron Dick said \$3 billion in savings could be achieved without cutting frontline services or public service positions, or selling state assets (Dick, 2020, 9 Jul). In July 2020, public service jobs growth was capped for 12 months, excluding frontline staff, with internal recruitment only to fill vacant positions (Dick, 2020). Secondment of frontline staff to non-frontline roles was curtailed. Limitations on external recruitment and other FTE management strategies came into effect the same month under the Government's Savings and Debt Plan.

A reduction in SES numbers was to be achieved through "natural reduction" (Dick, 2020, Jul 9). "To reduce the number of highly-paid public servants, some roles will not be filled when they are vacated as we reduce the number of senior executive service positions" (Cameron Dick, quoted by Marszalek & Cameron, 2020, Oct 8). The Treasurer said \$320 million was saved in the July to September quarter, when 13 executive positions were not replaced (Marszalek & Cameron, 2020, Oct 8).

The government was re-elected in late October 2020 on a key election commitment to find \$3 billion in savings and avoid austerity measures such as cuts to jobs and services (Per Capita, 2020). This was in contrast to the Opposition LNP's promise to balance the Queensland budget within four years – a policy that economists argue could not be achieved without austerity measures, including cuts of more than 40,000 public sector jobs in the first two years (Per Capita, 2020).

Other initiatives

The Treasurer also committed to limit spending on external consultants and move Queensland's stake in Virgin Australia – and other non-cash assets – to the Queensland Future Fund to prevent future privatisation (Stone, 2020, Jul 9). Other Queensland initiatives included decentralisation initiatives to move staff from the city to suburban hubs via expanding the role of Distributed Work Centres in Ipswich, Logan, Robina and Maroochydore. With 250 public servants already based in these centres, the expansion would allow for up to 1500 staff to work closer to home (Jenkins, 2020, Jul 9).

Government departments re-prioritised their work programs and enacted business continuity plans. The Public Service Commissioner said this included flexible work arrangements such as working from home. "Remote working success requires public service leaders and managers to establish new routines for priority setting and promoting a shared culture of purpose and accountability" (Rob Setter, quoted by Parnell, 2020, May 5).

The following table illustrates Queensland public service austerity measures in response to the GFC and COVID-19 pandemic.

Table 2. Summary of crisis responses

Crisis	Party	Pay approach	Recruitment	Downsizing (approx n)	SES
GFC	Labor (2009–12)	Continuation of 4% wages policy for agreements reached by Sep 2009, but capped at 2.5% after that.	Vacancies to be filled from deployee list (arising from a 2009 restructure)	Voluntary severance schemes for 3500 non-frontline staff in 2011 and 2012	Wage increase capped at 2.5% from July 2009. VER scheme, ineffective efforts at deploying surplus staff after restructure
	LNP (2012–15)	Pay freeze and no increase in 2012. Pay increases 2.2% in 2013 and 2014		20,000 positions (14,000 FTE) including voluntary and forced severances	2.2% in 2012–2014.
COVID	Labor	Deferral of scheduled wage increases for 2020-21 (12 months) and 2021-22 (six months).	Growth capped for 12 months for non-frontline positions. Internal recruitment only for non-frontline positions.		Reduction in SES numbers through natural attrition. No performance payments for executives of GOEs. Agencies to review SES positions (Estimates Dec 2020)

4 SES policy changes

Queensland was one of the last Australian jurisdictions to introduce a Senior Executive Service (SES). This initiative was one of several reforms to public administration following the 1987–89 Fitzgerald Inquiry, but also reflected Queensland's adoption of government and public sector restructuring undertaken in New South Wales and Victoria. The development of Queensland's SES was one element of the Goss Government's public sector reform agenda to implement cultural change and improved competence across the public service.

The Queensland SES was established on 1 July 1991, with a broad-band four-stream public service salary structure approved by the Industrial Relations Commission (Selth, 1991). The current SES comprises senior executive officers in the Queensland public service, not including Chief Executives, Senior Officers, and executives appointed on section 122 contracts. The latter are used to provide agencies with the flexibility to attract or retain critical skills for specific business needs (PSC, 2019b).

Under Section 106 of the *Public Service Act 2008*, the purpose of the SES is “to promote the public service's effectiveness and efficiency” with SES employment directed towards ensuring they:

1. *Develop a public service wide perspective; and*
2. *Continue their executive development; and*
3. *Develop their skills through deployment within and outside the public service.*

4.1 Discussion

As noted in the Reform Context section above, there have been significant and notable swings in approaches to public employment policies in Queensland's recent political history, with clear paradigm shifts between conservative and Labor governments. Under the Bjelke-Petersen Government, employment contracts were offered to executive and senior officers in 1986, with large bonuses for relinquishing tenure (Colley, 2009). This was followed by implementation of the recommendations of the Savage Inquiry (1986–87), which put merit into political hands by granting Ministers control over senior appointments and chief executive contracts (Colley, 2009).

The Public Sector Management Commission (PSMC) established by the Goss Government laid the groundwork for the development of an SES and investigated the establishment of a Chief Executive Service. The original SES framework, which included Chief Executives, resulted from a survey of senior executives, a Green Paper, and consultation with department heads and public sector unions (PSC, 2010; Selth, 1991). Recruitment and promotion were to be based on “the twin concepts of merit and equity” (Selth, 1991, p. 427). There were early concerns expressed within the public service that the PSMC wanted to use the SES to install outsiders, but it was later reported that over 80% of the positions were won by Queenslanders (McMonagle, 2012).

While the PSMC had established central management of SES selection processes to protect against politicisation, the Borbidge Government in 1996 devolved SES appointment decisions to agency heads, effectively weakening merit (Colley, 2005b). Five-year contracts were formalised and the SES headcount was halved by re-classifying SES 1 to Senior Officers (Lauchs & Staines, 2009). Merit was further diluted by a provision in the *Public Service Act 1996* that allowed the principle to be bypassed if a tenured SES officer accepted a contract to perform substantially similar duties at a higher classification level – thus allowing promotions without merit (Colley, 2005b). The introduction of contracts allowed political and

administrative interference in selection decisions, resulting in the dilution of frank and fearless advice, and reduced internal policy debate, because SES officers were reluctant to give their Directors-General bad news (Colley, 2005b).

The Beattie Government did little to restore the diluted merit principle. Borbidge, now Opposition Leader, attempted to limit chief executive appointments to the term of government via a Private Member's Bill in 1998. This was rejected by Beattie as it would have "resulted in political appointments that effectively defined merit as specific to a particular government" (Colley, 2005b, p.145). However, Beattie himself weakened merit by exempting chief executive positions from mandatory advertising and selection requirements, making several CEO appointments without due process – albeit some of those were returnees who had held merit-based CEO positions under Goss before being despatched by Borbidge (Colley, 2005b).

Queensland's current public service legislation, the *Public Service Act 2008*, introduced by the Bligh Government, confirmed the requirement for contract appointments for SES positions, but stipulated conditions of employment. The Act enshrined the merit principle and set out the purpose, composition, classification levels and appointments of Senior Executives. Under section 109 of the Act, the Governor in Council must approve changes to the number of SES positions or changes to classification levels. The Chief Executive Service was established as a separate cohort on 1 July 2008 (PSC, 2010).

The term of an SES appointment must not exceed five years, but extensions may be granted for a further cumulative five years. After this time, they must be re-appointed by the PSC Chief Executive before a new contract can be entered into (PSC, 2019a).

A list of re-appointed senior executives is published by the Public Service Commission in accordance with section 110(2) of the Act. According to the *Contract of Employment for Senior Executive Service Officer* (3 July 2017 version), termination of contracts may occur as a result of:

- mutual agreement with the Chief Executive
- resignation or retirement
- involuntary retirement (due to mental or physical incapacity)
- disciplinary action (without notice or termination payment)
- with cause (e.g. bankruptcy, criminal charges/conviction or corrupt conduct), or
- without reason (with one month's notice).

When entitled to termination payments, SES officers are to be paid a Separation Payment (20% of the superannuable salary on the remainder of the contract up to three years) to be repaid pro rata if government employment is again taken up during the payback period. A 12-week payment is available by mutual agreement if the CEO does not agree to a contract renewal.

In addition to the formal SES, Chief Executives may appoint other "equivalently remunerated" employees on contract under Section 122 of the PS Act. Executive appointments in health, police, and fire and emergency are appointed under separate legislation (PSC, 2018).

4.2 Current government 2015–2021

On taking office in February 2015, Labor Premier Annastacia Palaszczuk placed incumbent Directors-General on notice that their elevations to the posts under Newman would be examined and that appointments would henceforth be based on merit selection (Scott, 2015). She also asked Directors-General to satisfy themselves they could commit to the new government's election commitments (Whittaker, 2015, Feb 27). The Director-General of DPC

departed by “mutual agreement”, with the Newman-appointed Public Service Commissioner and Director-General of Queensland Health following suit (Whittaker, 2015, Feb 27). Commitment to merit was confirmed when an independent recruitment panel was tasked with undertaking a merit-based review of the top 17 public service positions, with the Premier appointing recommended candidates from both the public and private sectors (Donaldson, 2015, Jul 20). The Director-General DPC, Dave Stewart, and Under Treasurer Jim Murphy were the first two appointments (Palaszczuk, 2015).

In May 2015, the Premier axed a bonus system for newly appointed chief executives. The Premier considered that “our most senior public servants are paid well enough that they don't need generous bonuses on top of their salary” (Mannheim, 2016, Jul 9). The scheme, introduced by the Newman Government, had allowed Directors-General to achieve bonuses of up to 15%, with \$641,682 in total having been paid to the State's top mandarins in 2013–14 (Palaszczuk, 2015). Of that amount, more than \$150,000 had been shared between two executives – the DG DPC (>\$60,000) and the Public Service Commissioner (>\$70,000) for “the achievement of performance criteria during 2012–13” (Vogler et al., 2014). LNP Shadow Treasurer Tim Mander argued in 2018 that the bonuses offered under the Newman Government had acted as an incentive that could be withheld if agencies did not perform to the government's expectations: “If we're going to pay this amount of money to these top bureaucrats, we expect better results... There's now no incentive to make sure they do a good job” (quoted by Layt, 2018, Oct 2).

As per *Directive 10/17*, SES remuneration is in accordance with the assessed classification level and work value range. There are four salary package points for SES 1 and five points for SES 2 to 4 (PSC, 2017b). Together Union lobbied the PSC and Premier from early 2019 for pay increases for Senior Officers and the SES (Together, 2019). PSC Chief Executive *Directive 18/18* advised that s122 contracts “are to be for a period appropriate to the special circumstances of the employment situation” but must not exceed five years (PSC, 2018). The Directive stipulated that, unless covered by another Directive, initial s.122 contract templates must be approved by the Commission Chief Executive, but renewed contracts can be approved by agency heads (provided the cumulative period does not exceed five years).

The PSC has a dedicated Executive Recruitment and Contracts unit. Vacant SES roles must be advertised unless otherwise determined by the PSC Chief Executive. Internal recruitment is possible if the position is for less than 12 months (PSC, 2019a). SES appointees are required to enter Performance Agreements with agency heads (PSC, 2020a) and submit annual Declaration of Interests (Directive 3/10).

A review of public employment laws, policies and procedures by Peter Bridgman (2019) made a number of recommendations regarding the SES, including an audit and review of all SES, Senior Officer and Section 122 positions; examination of barriers to progression from SO to SES positions; and procedural fairness on termination of contracts. Recommendations relating to the SES are summarised in Table 3.

Table 3. Bridgman (2019) recommendations related to Chief Executives and Senior Executives

Rec	Title	Details
8	Termination of chief executive and senior executive contracts	Procedural fairness should be provided to a chief executive, senior executive or the Public Sector Commissioner in making a decision to terminate their employment contract on notice.
30	Senior Executive Service	The approved establishment for senior executives should be on a full-time equivalent basis to remove barriers against part-time engagement, parental leave and job sharing.

31	profile and movement	The terms of reference of the Special Commissioner (Equity and Diversity) should include examination of barriers to movement from AO8 to SO to SES to encourage greater gender participation at senior levels, potentially integral to the Public Sector Commissioner's audit of the SES and review by the Queensland Governance Council.
80	Chief executive employment	The Premier should be the statutory employer of all chief executives, with power to delegate functions to the Public Sector Commissioner. The departmental ministers' power to direct the chief executive should continue.
81		The Public Sector Commissioner's functions should include supporting the Premier in discharging the employer function including facilitating development opportunities for chief executives.
82	Chief executive performance reviews	The Public Sector Commissioner should have the function of undertaking performance reviews of chief executives of government depts at the Premier's request.
83	A more meaningful Senior Executive Service	The Queensland Governance Council should make recommendations to the Premier about options for building a more meaningful Senior Executive Service (SES) in light of the audit and review of senior executive, senior officer and section 122 arrangements.
84	SES establishment	The Public Sector Commissioner should audit of all SES, section 122 and senior officer (SO) positions across the public sector to inform review by the Queensland Governance Council of those cohorts and the management arrangements for them. The Queensland Governance Council should report to the Premier on changes to enhance management, performance and efficient long-term use of senior executives, section 122 contractors and senior officers.
85		The Public Sector Commissioner should conduct triennial reviews of executive and senior-level employees, to inform Budget considerations, to ensure that establishment remains fit for purpose, and enable public sector leadership to respond more effectively to government priorities.
86	Senior Executive Service	Future arrangements for developing the senior executive service as a service should be considered by the Queensland Governance Council in the context of the audit and review of SES, section 122 and SO roles, including the responsibility of the Public Sector Commissioner for employment of the SES.

Source: Bridgman, P. (2019). *A Fair and Responsive Public Service for All: Independent Review of Queensland's State Employment Laws* (May). Brisbane: State of Queensland, pp 14–19.

Implementation of the Bridgman recommendations were assessed by the Public Sector Reform Office, the PSC Board and a Joint Advisory Committee (PSC, 2020e). In 2019–20, the PSC Board comprised three CEOs: the Commission Chief Executive, the Director-General of DPC, and the Under Treasurer (PSC, 2020e).

The Public Service Commission's *Strategic Plan 2020–2024* includes a goal to “build a cohort of capable, collaborative and inspiring leaders that are able to solve the complex challenges facing Queensland” (PSC, 2020f: 2). In 2019–2020, the PSC implemented a new case management system to track and report on SES and s.122 employment matters. It also initiated a training scheme to build leadership capability through the LEAD4QLD program (PSC, 2020d).

Table 4 outlines changes in SES policy since 1999.

Table 4. Changes to SES employment practices

Employment Practices	1999 position	Interim changes	Current position (June, 2021)
Recruitment			
Advertised internally	Yes	PSC's 2013 'Recruitment and selection' directive outlines requirements for recruitment to SES level.	Yes
Advertised externally	In most instances, to the extent required to attract suitable candidates.		In nearly all cases, unless exempted by PSC CEO in special circumstances.
Search Agency	Depends on department/agency, but not often.		Depends on department or agency, but not used routinely.
Selection body	CEO or delegate convenes selection panel. Comprises CEO/delegate, PS Commissioner or delegate, SES agency representative, and possibly an industry representative.		Agency CEO or delegate convenes selection panel. Comprises two or more members reflecting inclusion and diversity considerations, and one member from outside the department or agency. The delegate to approve should not sit on panel.
Role of Portfolio Minister	Carries decision forward to Executive Council		None usually
Role of Premier	No		None
Role of Cabinet	No, other than through normal Governor-in-Council processes.		None, other than through normal Governor-in-Council processes.
Role of Dept. Head	Recommends appointment to Minister and Governor-in-Council.		Recommends SES appointment to PSC Chief Executive.
Employment Conditions			
Contract	Yes	<i>Public Service Act 2008</i> confirms requirement for contract appointment to SES position, stipulating position conditions	Yes

Contract timeframe	Up to 5 years	Directive 10/17: Senior Executive Service – Employment Conditions	Up to 5 years
Contract Extension	Yes, can extend to 5 years. Otherwise new contract.		Yes, but every extension (if less than 5 years) is a new contract.
Process re extension	Yes, without advertising		Yes, without advertising Chief Executives may extend an SES contract within a five-year cumulative limit. After that, they must be re-appointed by the PSC Chief Executive before a new contract can be entered into (SES Contract as at 3 July 2017).
Redundancy/ Termination provisions	Contract termination provisions apply. Generally 20% of residual contract salary, plus 2 weeks for each year of service.	<i>Contract for Employment for Senior Executive Service Officer</i> , version 1 as at 3 July 2017.	Contract termination provisions apply, Separation Payment: 20% of residual contract salary (up to three years). If terminated by mutual agreement, there is a 12 week superannuable salary payment
Performance Management			
Program in place	Agency CEO determines process, if any	<i>Public Service Act 2008</i> confirms responsibility for performance management in Chief Executive ranks of the QPS and, ultimately, in CEO of the PSC. The PSC updated the Executive Performance Agreement and Assessment Templates in 2019 and 2020.	A Performance Agreement must be entered into within three months of the starting date (as per SES Contract, July 2017). Agency CEO determines process and objectives
Frequency of assessment	In most cases annually		Annually (or at least 'periodically'), with a mid-year review and end-of-year CEO assessment, as well as a self-assessment in July each year.
Types of measures	No common scheme		Performance agreements must align with 'CEO performance framework objectives' and conform to a performance agreement template for SES officers. Performance is assessed across five key themes: 1. Whole-of government leadership and collaboration 2. Organisational priorities

			3. Organisational financial management 4. Organisational leadership and culture 5. Personal development priorities.
Purpose	Performance and development		Performance standards and staff development
Who makes assessment	CEO		Agency CEO
Remuneration			
	Commissioner directive	<i>Directive 10/17 – Senior Executive Service – Employment Conditions</i>	Agency Chief Executive determines the salary package point, but any payment beyond the minimum package point requires the support of the Commission Chief Executive.
Performance Pay			
Availability	No		No
Basis	N/A		N/A
Who makes assessment	N/A		N/A
Right of Return			
	No right of return		No right of return

In the 2020 Working for Queensland survey, only around half of participants responded favourably to questions about organisational leadership: 52% viewed organisational leadership positively; 53% thought their leadership was “high quality”; 52% thought they exhibited model behaviour; 55% considered they possessed a “high level of integrity”; and only 48% responded that their organisation was “well managed” (PSC 2020f, pp 2, 6). Only 37% responded positively to “Recruitment and promotion decisions in this organisation are fair” (up 1% from the 2018 and 2019 surveys) (PSC 2020f, p. 6).

In June 2021, a new Directive on Chief Executive recruitment and selection stipulated:

- Completion of a merit assessment
- Premier to appoint the chair of the selection panel
- Chair to appoint three gender-diverse and appropriately qualified panel members, including one external to the public service
- Role requirements and validation of candidates’ claims must be properly documented with the selection report for the Premier’s consideration (PSC, 2021a).

5 Workforce data

The Queensland public service comprises all departments and public service agencies listed in Schedule 1 of the *Public Service Act 2008*. The ‘public sector’, on the other hand, also includes other government entities “established under their own legislation for a public or state purpose” (Coaldrake, 2018a, p. 11). The public sector is made up of ministerial departments, statutory agencies and government-owned enterprises (Qld Parliament, 2015). This current report is focused on the public service, i.e. ministerial departments.

Government departments are required to submit Minimum Obligatory Human Resource Information (MOHRI) to the PSC under *Directive 05/14 – Workforce Profile and Performance Information* (PSC 2014). The PSC reports workforce data in *Queensland Public Sector Quarterly Workforce Profile* and biennial *State of the Sector* reports. Leadership profile reports were issued in 2015 and 2016 based on Working for Queensland employee opinion surveys and the PSC’s Executive Recruitment and Contracts database (PSC, 2016). The recent data have been extracted from the *Quarterly Report* (June 2019), which shows:

- Queensland public servants work across 20 departments and 15 agencies.
- There were 228,158 FTE public sector employees working in government agencies.
- Almost 80% are permanently employed.
- Collectively, Queensland Health, the Department of Education, the Queensland Police Service and Transport and Main Roads account for four out of five public servants.
- Half the public sector workforce are professionals.
- 91% work in frontline or frontline support roles.
- More than 60% of the workforce is located outside Brisbane City.
- By salary level (AO1 to SES), the most populous cohort are AO6 and equivalent.
- More than two-thirds of FTE public sector employees are women, but females are generally in lower-paid roles, making up 70% of A02 to A06 positions.

The Quarterly Report separates ‘agencies’ from ‘other entities’ but, as in some other jurisdictions, there is not a clear delineation of the ‘public service’ from the ‘public sector’. For example, the AO6 level mentioned above includes teachers, nurses, police detectives, health practitioners and emergency services workers who may be employed under different legislation. The lack of a discrete classification for those employed under the *Public Service Act 2008* makes comparative workforce analysis a challenging pursuit.

5.1 Workforce change 1999 – 2019

In 1999, there were 197,864 people working in the Queensland public sector – which included energy and other corporations and statutory authorities as well as the public service (OPSME, 1999). Of these, 56.3% were women, with 76% of female employees holding permanent positions (OPSME, 1999). The public service is not differentiated in the data.

As at 30 June 2009, there were 195,924 people working in the Queensland public sector. Of these, 119,797 public servants were employed under the *Public Service Act 2008*, comprising 60% of the public sector workforce (PSC, 2010, p. 52). Eighty percent were permanent employees, of whom 64% were female. The 2009 figure represented a 21% growth in the

public service workforce since June 2000 (PSC, 2010, p. 52). Almost 60% (57.7) of the workforce were university educated (p. 58).

In 2012–13, the FTE QPS workforce contracted for the first time in a decade (PSC, 2015, p. 5). In 2013–14, the QPS separation rate was double that of the 2009/10 during the Global Financial Crisis, including 15.5% of over 50s compared to 6.4% in 2009/10 (PSC, 2015, p.11). The permanent workforce also dropped to the lowest proportion of the QPS in a decade, with a corresponding increase in temporary employment – to almost 16% of the workforce (PSC, 2015, p.23).

In 2017, the Queensland Government produced a *10-Year Human Capital Outlook* for the public sector (PSC, 2017a). A *3-Year Strategic Roadmap* is guiding the re-purposing and re-skilling of the workforce to meet the challenges of the future – for which the Outlook predicts that the average tenure of public servants will reduce from 11 years to three, but that more will work until their 70s and 80s (PSC, 2017a, p, 4). The *Human Capital Outlook* estimated that up to 47% of public sector jobs were at risk of automation, but that there were also jobs “that haven’t been invented yet” (PSC, 2017a, p.8). A Strategic Workforce Council is championing and driving workforce transformation.

By July 2018, the Palaszczuk Government was close to replacing the public servants lost under the Newman Government twice over. Public service employee expenses of \$27 billion were expected to consume 47% of the State Budget, increasing to \$30 billion by 2021–22 (Caldwell, 2018).

5.2 Senior Executive Service (SES)

In August 1991, shortly after the introduction of the Senior Executive Service, there were 286 members of the Queensland SES (not including Chief Executives). Between 1993 to 1995 under Labor, the number of SES on contracts doubled to 10% of the cohort (Lauchs, 2006, p134). By 30 June 1995, the number of SES had increased from 286 in 1991 to 490 (Borbidge, 1996). In 2009, there were 502 Senior Executive and 14 Chief Executive positions – including vacant positions (PSC, 2010). According to 2009 employee survey data, 90% of SES respondents indicated a university education, with 60% holding postgraduate qualifications (PSC 2010, p. 94).

There was a reduction in the number of SES positions between 2000 and 2009 due to the replacement of the SES1 level with Senior Officer roles under the Borbidge Government. In addition to the SES, at 30 June 2009, 528 staff were employed on s122 contracts (PSC, 2010, p. 92). The number of Chief Executive positions declined following March 2009 machinery of government changes that reduced the number departments from 23 to 13 (PSC, 2010, p. 93).

A profile of leadership in the Queensland public sector for 2014–15 noted that while the size of the SO, SES and CEO cohort was similar to a decade before, the composition had changed, including a 12% growth in SO positions but a 27% decrease in SES2 – which nonetheless remained the largest cohort, accounting for 59% of the combined SES and CEO cohort (PSC, 2016, pp iv, v). The *Public Service Act 2008* had provided for the phasing out of the SES1 level while allowing for those officers to remain in the SES. Roles at this level are no longer established and no further appointments are made to SES1 positions (PSC, 2016, p. 8).

The 2018 *State of the Public Sector* report defines the ‘executive leadership’ cohort as those earning more than \$129,000 per annum and includes technical experts as well as public service executives (p. 14). The proportion of the public sector meeting this criterion was 6.35%, with almost 47% of them women – up from 41% in 2015 (p. 14). 61% were in the

health sector (which is also the largest public sector employer). This group included Senior Officers.

Coaldrake (2018a) compared the number of public service SES officers with those on Section 122 contracts across the public sector, noting that most of the growth in the upper salary levels between 2013 and 2018 had been in s.122 or 'SES equivalent' appointments, with core SES numbers remaining stable, as illustrated below in Table 5:

Table 5. Public service workforce changes since the creation of the Queensland SES

	Public sector agencies number	% women	Public service	SES	S122	CEO		Notes
1991				286				
1999	197,864	56.3						
2009	259,725	61.6	195,924 head	502	528	14		
2019	228,158	67.29	222,947	308	436			

Sources: Beattie (1991); Borbidge (1996); Coaldrake (2018); PSC (2009, 2010, 2013, 2015, 2016, 2018, 2019); PSMC (1995); OPSME (2002)

Included as 'Senior executives and equivalent' in the June 2019 Workforce Profile are medical staff, senior nursing staff, school principals and commissioned police officers, as well as the SES – amounting to almost 8000 people across government.

5.3 Gender equity in the SES

Achieving gender equity in the upper echelons of the public service has been a challenge in most jurisdictions, despite dedicated targets and commitments, partly due to gaps between "aspirations and expectations" and "policy and practice", with "horizontal and vertical segregation" remaining "an ongoing feature of public sector employment" (Williamson et al, 2018, pp 11, 13). The "tensions between the ideal of merit and the goal of gender equity" have included "unconscious bias" in recruitment, concerns of gender targets creating "tokenism" and "reverse discrimination", and "pockets of resistance" to the need for flexible work arrangements to allow the progression of women through the ranks (Williamson et al., 2018, pp 16, 19).

A 1990 survey of senior executives in the early days of Queensland's Goss Government found that only 7% of executive positions were occupied by women (Selth, 1990). By 30 June 1995, that proportion had doubled to 15%, but only one of the 20 CEOs was female (Borbidge, 1996). The highest proportion of women was in SES4 roles (50%), but there were only four of these positions across government. Equal Employment Opportunity targets for women were set in July 1995, with a commitment that 20% of SES roles should be held by women by 2000 (PSMC, 1995, p. 10).

The gender profile of the SES did not improve with a change of government. By 30 June 1996, the number of filled CEO positions included no women. Women occupied two of the five SES4 positions, but only seven of the 72 SES3 roles (Borbidge, 1996). When the Borbidge Government moved SES1 positions into the SO category, Anna Bligh argued that

the policy would further “lower the glass ceiling” given that women were already concentrated in the lower executive ranks (quoted by Lauchs, 2006, p. 135).

Representation of women in the SES and CES group rose from 23% in 2005 to 29% in 2009 (PSC, 2010, p. 93). By June 2009, 40% of SO positions were held by women (PSC, 2010, p. 94). Men were four times more likely than women to be in contract employment, reflecting the higher number of males in SES and CES positions and the large number of men in specialised roles under section 122 (PSC, 2010, p. 53). By 30 June 2012, women held 40% of the SO positions, but only 15% of SES1 and 31% of CEOs, while one-third of FTE public servants earning more than \$120,000 were female (PSC Profile Data, 30 June 2012). In 2014–15, women made up around 40% of SO and SES positions, but only 5% of CEOs (PSC, 2016, p. 1). In 2018, of the 72 public sector executives earning more than the Premier, only 13 (18%) were women (Wordsworth, 2018).

The Queensland Government has committed to ensuring that women make up 50% of the senior executive workforce by 2022. As at June 2019, 59% of Senior Officers were women, but the FTE calculation reduces this figure to 53% (PSC, 2019, p. 7). At the ‘SES and above equivalent’, less than 40% were women (PSC, 2019, p. 7). More recent reporting (March 2020) combines Senior Officer, Senior Executive and Chief Executive in the Women in Leadership cohort, with females accounting for 49.74% of the cohort (PSC, 2020d).

In May 2021, a woman was appointed to the position of Director-General, Department of Premier and Cabinet, for the first time in Queensland (Palasczucuk, 2021).

5.4 Review of Queensland’s public sector workforce reporting – 2018

Recognising the need for a clear understanding of public sector workforce numbers, costs and occupation groups, the Queensland Government (2018b) commissioned Professor Peter Coaldrake to review Queensland’s public sector workforce reporting. Coaldrake noted that measuring the workforce in any jurisdiction “can be a hazardous activity” (Coaldrake, 2018a, p. 4). Part of the challenge of comparing workforce data across jurisdictions is because “for reasons of history and convention”, governments do not have consistent definitions of ‘public service’ and ‘public sector’ (Coaldrake, 2018a, p. 4).

Given the size and cost of the public service, Coaldrake argued that consistent, accurate and transparent workforce reporting was important for public confidence. Among the recommendations to improve the collection and reporting of workforce data were:

- the adoption of a “single, authoritative and immediately retrievable database” (Rec. 1)
- a transition from quarterly to half-yearly reporting (Rec. 3); and
- that future reporting be based on occupation and earnings rather than classifications (Rec. 5).

The Government accepted most of the recommendations, with five accepted ‘in-principle’ (Qld Govt, 2018a). The Government response did not indicate the process by which the recommendations would be implemented.

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7 Appendix: Queensland public service legislation, policies and directions, and Annual Reports

YEAR	Public Service Board/Commission Annual Report extracts	Public Service Commissioner Directions and Amendments	Legislation
2021		<p><i>Directive 01/21 – Chief executive recruitment and selection</i></p> <p>Describes the steps that must be followed:</p> <ul style="list-style-type: none"> • Completion of a merit assessment • Premier to appoint the chair of the selection panel • Chair appoints three gender-diverse and appropriately qualified panel members – including one external to the public service • Role requirements and validation of candidates' claims must be properly documented with the selection report for the Premier's consideration. 	
2020	<p>PSC “implemented a new case management system within the Executive Leadership Information System to track and report on requests for approval of SES/s.122 equivalent employment matters” (PSC, 2020a, p. 2).</p>	<p><i>Directive 12/20 – Recruitment and selection</i></p> <p>The updated directive includes advice that vacancies of more than six months must be advertised, updates terminology from ‘temporary employee’ to ‘fixed-term temporary employee’ and added a specific requirement to declare conflicts of interest, which was not specifically mentioned in the previous directive (15/13).</p> <p><i>Directive 01/20 – Employment Arrangements in the Event of a Health Pandemic</i></p> <p>Joint Directive between the Minister for Industrial Relations and the PSC Chief Executive to prescribe the specific employment conditions to apply in case of</p>	<p><i>Public Service and Other Legislation Amendment Act 2020</i></p> <p>Requires chief executives to consult with the PSC about proposed recruitment and selection strategies for SES and s. 122 vacancies of more than 6 months.</p>

		<p>disruption caused by the occurrence of a health pandemic.</p> <p>Includes entitlement to “Special Pandemic Leave” when sick leave has been exhausted, plus early access to pro-rata long service leave when all other paid leave has been exhausted.</p> <p>Accompanied by an <i>Implementation Guide</i></p>	
2018–19	<p>PSC is leading the implementation of 10 recommendations from the Coaldrake review. (p. 2)</p> <ul style="list-style-type: none"> – Implemented the Executive leadership information system to improve monitoring and reporting of the senior executive cohort (p. 7) – Updated the Fixed term contracts of employment – executive employees directive to provide further detail around eligibility for entitlements (p. 8). – Developed and promoted a capability program for executive leaders to enhance skills in collaborative governance and collective leadership; delivered three masterclasses attended by 34 executive leaders, and five workshops attended by 280 people. (p. 9) – Facilitated executive placements through Leader Connect, including embedding public sector employees with QUT research teams to experience an academic perspective, in content areas relevant to their agencies. (p. 10) – Supported secondment and interchange arrangements for senior executives to gain broader leadership experience within the sector (p. 22) 	<p>The Government committed to review its employment security policy and associated <i>Directive 17/16</i>, as recommended by the Coaldrake Review.</p> <p><i>Directive 18/18 – Fixed Term Contracts of Employment – Executive Employees</i></p> <p>Sets out:</p> <ul style="list-style-type: none"> – the requirements and administrative arrangements where a public service officer’s appointment is to be on contract for a fixed term with remuneration equal to, or higher than, the remuneration payable to a senior officer (SO) – the conditions for an entitlement to granted leave days for officers engaged on an applicable contract for a fixed term who are participating in the Christmas/New Year compulsory closure. 	<p>Bridgman review of public employment laws recommends a new Public Sector Act and Public Sector Commissioner.</p>
2017–18	<p>PSC continued to engage the Senior Executive Service and Senior Officers in ‘leadership development’ seminars and experiences, including performance management workshops and executive masterclasses. (p14)</p>	<p>Updated the Employment conditions directives for Senior Officers and Senior Executive Service Officers. (p12)</p> <p><i>Directive 10/17 – Senior Executive Service – Employment conditions</i></p>	

		<p><i>Directive 11/17 – Senior Officers – Employment Conditions</i></p> <p><i>Directive 04/18 – Early Retirement, Redundancy and Retrenchment</i></p> <p>Outlines the conditions under which public servants may be retrenched or made redundant, requirements for early retirement and the separation packages for all three – two weeks’ pay per year of service up to 52 weeks’ pay.</p> <p><i>Directive 12/18 – Recognition of Previous Service</i></p> <p>Prescribes the entitlements for recognition of previous service and employment when a person is appointed or reappointed, engaged or re-engaged to work in the Queensland public service.</p>	
<p>2016–17</p>	<p>PSC led implementation of QPS chief executive remuneration framework, including an equitable set of principles for whole-of-government approach to chief and senior executive remuneration and conditions, performance and termination. Also developed a new contract template for SES officers appointed under the <i>Public Service Act 2008</i>, creating a contemporary employment contract for senior executives. (p21)</p> <p>PSC conducted a review of QG Women – Queensland Government’s network for senior executive women – to ensure its effectiveness and purpose. (p24)</p>	<p><i>Directive 22/16 – Voluntary Medical Retirement (VMR) Scheme</i></p> <p>Establishes the conditions and entitlements of permanent public service employees under a voluntary medical retirement (VMR) scheme.</p> <p>A VMR may be initiated by a public service employee who has medical evidence of an injury or illness that prevents them from continuing employment. A Chief Executive may offer a VMR to an employee whose attendance or performance is affected by mental or physical illness.</p> <p><i>Directive 01/17 – Conversion of casual employees to permanent employment</i></p> <p>Outlines how casual staff can apply to become permanent –if they have been employed on a regular and systematic basis for at least two years.</p> <p><i>Directive 02/17 – Managing employee complaints</i></p> <p>Provides principle and procedures for managing and resolving employee complaints.</p>	

		<p><i>Directive 03/17 – Appeals</i></p> <p>Provides information on the appeal rights of public service employees and extends the appeal grounds.</p>	
2015–16	PSC continued to engage the Senior Executive Service and Senior Officers in 'leadership development' seminars and experiences, including performance management workshops and executive masterclasses. (p. 23)	<p><i>Directive 04/15 – Support for Employees Affected by Domestic and Family Violence</i></p> <p>Issued a new directive related to Domestic and Family Violence (Support for employees affected by DFV) that amended existing directives, including the Senior Executive Service - Employment Conditions directive. (p20)</p> <p><i>Employment Directive 17/16 – Supporting Employees Affected by Workplace Change</i></p> <p>Establishes a framework to give effect to the government's commitment to employment security when employees are displaced as a result of workplace change.</p>	
2014–15	PSC continued its SES Seminar Series and Women in Senior Executive (WISE) Network program. (p. 15)	<p><i>Directive 01/15 – Declaration of Interests – Chief Executives</i></p> <p>Provides for matters that must be disclosed by Chief Executives of government departments including public service offices, how those matters must be disclosed and specifies requirements for the storage of and access to declarations.</p> <p><i>Directive 02/15 – Relocation expenses for executives</i></p> <p>Provides a framework for payment of relocation expenses to certain public service executives.</p>	
2013–14	PSC continued its SES Seminar Series and Women in Senior Executive (WISE) Network program; continued to engage SES and Senior Officers in ANZSOG's Executive Fellow Program. (pp 13–14)	<p><i>Directive 13/13 – Executive Remuneration Package – Motor Vehicles and Allowances</i></p> <p>Specifies arrangements for motor vehicle allowances provided to executives as part of their remuneration package.</p>	

		<p><i>Directive 15/13 – Recruitment and Selection</i></p> <p>Specifies the requirements for the recruitment and selection of public service employees</p>	
<p>2012–13</p>	<p>As part of future QPS ‘renewal’ program, PSC undertook a pilot review of workforce and industrial relations practices, including setting human resources performance benchmarks for senior executives to achieve. (p. 14)</p> <p>In July 2012 new Chief Executive and SES Performance Frameworks were introduced to “deliver a consistent approach across the sector, ensure greater accountability, and assist in building a performance culture”; PSC continued its SES Seminar Series and Women in Senior Executive (WISE) Network program. (p. 15)</p> <p>PSC undertook state-wide engagement with employees and senior executives to refresh QPS values and develop “a whole-of-Government transformation roadmap and implementation strategy”, for delivery in 2013-14. (p. 17)</p>	<p><i>Directive 05/12 – Workforce Establishment Management Framework</i></p> <p>Provides for establishment management frameworks that support service wide workforce management strategies.</p>	
<p>2011-12</p>	<p>New government in 2012 under Premier Newman initiated a review of executive management structures across the QPS and delivering a “right sized” Senior Executive Service. (p. 9)</p> <p>PSC continued its SES Masterclass Series and SES Seminar Series, both focused on executive management development; and continued the Women in Senior Executive (WISE) Network program. (p. 11)</p>	<p><i>Directive 07/11 – Employment Screening</i></p> <p>Assists department chief executives to conduct employment screening for persons engaged, or proposed to be engaged, to perform relevant duties or prescribed duties in the Queensland public service, and (ii) implement a risk management strategy for agencies performing child-related duties.</p>	
<p>2010-11</p>	<p>PSC published the first QPS State of the Service report. (p. 10)</p> <p>PSC continued its (redeveloped) Senior Executive Service Induction Program, as well as the SES Masterclass Series and SES Seminar Series, both focused on executive management development. (pp 14, 27-28)</p>	<p>Employee Performance Management Directive 21/10 specified the elements agencies are required to have in their employee performance strategies, systems and processes, as well as chief executives’ and employees’ responsibilities in performance management. (p. 25)</p>	

	<p>PSC continued to implement SES Performance and Development Framework; in May 2010 issued the Performance Agreement templates to assist agencies using framework. (p. 27)</p> <p>PSC supported a new, enabling senior women from across government to network and progress professional development. (p. 28)</p> <p>PSC aligned with private organisations and public sector leaders to develop Inspiring Leadership Series, including Inspiring Executive Leadership aimed at Senior Officers and newly appointed SES officers, providing 'tools' needed to meet leadership challenges. (p. 30)</p>		
2009-10	<p>PSC introduced enhanced requirements for senior executives to lodge declarations of interest. (p. 19)</p> <p>PSC launched in October 2009 a new SES Performance and Development Framework to assist SES officers in their personal development. Implementation is managed by departments with support from the PSC. (p. 21)</p> <p>PSC continued SES Induction Program and SES Seminar Series, including workshops and other information sessions for continuing staff. (p. 22)</p> <p>PSC launched in October 2009 a new section on its website called 'Learning Central'; plan in the following year to expand information available to include a page specifically for Senior Executive development. (p. 28)</p>	<p><i>Directive 03/10 – Declaration of Interests – Public Service Employees (Other than Chief Executives)</i></p> <p>Provides for matters which must be disclosed by public service employees when directed by their Chief Executive, how those matters must be disclosed, the purpose of the disclosure, and specifies requirements for the storage of, and access to, declarations.</p>	
2008-09	<p>Streamlined the process of, and issued a new guideline for, the appointment, secondment and interchange arrangements for the Senior Executive Service. (p. 10)</p> <p>PSC conducted two whole-of-government SES induction programs for newly appointed executives. (p. 11)</p> <p>Developed new policy – 'SES Profile Management Procedures'; and new guideline for SES/SO profile</p>	<p>Issued revised 'Senior Executives and Senior Officers – Employment Conditions' directive; issued 'Employment Separation Procedures' directive which included CEO/SES separation checklist and declaration form. (p. 11)</p>	<p><i>Public Service Act 2008</i></p> <p>Repealed the <i>Public Service Act 1996</i> and the <i>Performance Commission Act 2005</i>.</p> <p>The Office of the Public Service Commissioner and the Service Delivery and Performance</p>

	<p>procedures following machinery-of-government changes. (p.11)</p> <p>PSC produced a research report to inform plans to implement a SES Performance Management and Development Framework for managing performance in the SES, including a template for performance agreements and reviews. (pp 11-12)</p> <p>PSC commenced development of a suite of capability resources to “support improved organisational performance management, and tailored to the needs of senior executives, managers and performance practitioners, in consultation with stakeholders from across the service”. (p. 14)</p>	<p>PSC Guideline issued 1 July 2008: <i>Appointment, Secondment and Interchange Arrangements Senior Executive Service</i></p>	<p>Commission were abolished and replaced by the Public Service Commission.</p>
2007–08	<p>Premier Bligh in March 2008 announced series of public sector reforms including creation of a Public Service Commission headed by a PSC ‘Chief Executive’ to take effect from July 2008. (p. iv).</p> <p>Continued the Executive Program of SES placements across a variety of government departments. (pp 9-10)</p>		
2006–07	<p>OPSME renamed Office of the Public Service Commissioner (OPSC) in July 2006 with expanded ‘brief’ of increased focus on professional development and talent attraction/retention. (p. 7)</p> <p>SES Mobility Program renamed as ‘Executive Program’, continued work placements for Senior Executives and Senior Officers across a variety of government departments. (p. 28)</p>	<p>Amended ‘Senior Executives and Senior Officers – Employment Conditions’ directive, issued (Jul 2006) as Directive 7/06. (p. 76)</p>	<p><i>Service Delivery and Performance Commission Regulation 2007</i></p> <p>Lists the agencies to be reviewed under s 3(1)(b) of the Act.</p>
2005–06	<p>Several public sector policy, training and management functions moved from the Department of Industrial Relations to OPSME in December 2005. (p. 4)</p>		<p><i>Service Delivery and Performance Commission Act 2005</i></p> <p>The objective was “to establish a statutory authority known as the Service Delivery and Performance Commission to review and improve</p>

	Continued the SES Mobility Program to “develop a mobile and capable cadre of senior executives who can be deployed across government”. (p. 18)		the performance of the public service to meet the service expectations of the Queensland community” (Ex. Notes)
2004–05	<p>OPSME released the Queensland Accountability Frameworks report, ‘mapping’ accountability environment relevant to QPS chief executives. (p. 4)</p> <p>OPSME developed induction program for new entrants to the SES, advising of responsibilities and expectations. (p. 5)</p> <p>Continued the SES Mobility Program to “develop a mobile and capable cadre of senior executives who can be deployed across government”. (p. 20)</p>		
2003–04	<p>OPSME developed a major policy-setting document, ‘Realising the Vision – Governance for the Smart State’, outline of forward strategic direction for the QLD Public Service. Also developed a Public Service Charter outlining performance and ethical standards. (pp 19-20)</p> <p>Continued the SES Mobility Program to “develop a mobile and capable cadre of senior executives who can be deployed across government”. (p. 20)</p>		
2002–03	<p>Based on positive evaluation of the SES Pilot Mobility program, the Premier endorsed an ongoing program for senior executive mobility to build whole-of-government capability and improve executive performance. The program provides senior executives with a six-month placement to develop “leadership skills and new perspectives”. OPSME first offered SES officers and Senior Officers opportunity to participate in the Australia and New Zealand School of Government (ANZSOG) Executive Leadership programs. (p. 24)</p> <p>Continued the strategic review of SES employment management, including enhancing mobility and deployment</p>		

	of SES officers and Senior Officers as well as salary packaging options. (p. 26)		
2001–02	<p>OPSME introduced the Senior Executive Service (SES) Pilot Mobility Program, aiming to establish sustainable whole of government model for SES mobility and promoting whole of government senior executive capability. (pp2, 24)</p> <p>Office commenced implementation of the Senior Executive Leadership and Performance Framework, to influence leadership / performance management practices across agencies. (p24)</p> <p>Office delivered leadership development programs for almost 400 SES staff and Senior Officers, plus managed SES performance and employment issues and contract regulations. (pp25-26)</p>		
2000–01	<p>Review of Office of the Public Service Commissioner in mid-2000 moved some functions to Premier's Department and to Industrial Relations Department, and renamed body as the Office of Public Service Merit and Equity (OPSME). (p. 3)</p> <p>Led initiatives to enhance 'leadership and performance culture' within the QPS, including further development of the Senior Executive Leadership and Performance Framework (and a Mobility Program) aiming for integrated approach to SES performance management. (p. 22)</p> <p>Continued the strategic review of SES employment management, including enhancing mobility and deployment of SES officers and Senior Officers as well as salary packaging options. (p. 26)</p>	<p>Amended 'Senior Executives and Senior Officers – Employment Conditions' directive, issued (Dec 2000) as Directive 06/00. (p. 52)</p> <p>OPSC was abolished in August 2000, with its functions split between the Department of Industrial Relations, DPC and a new Office of Public Service Merit and Equity (Colley, 2004, p. 280).</p>	

<p>1999–2000</p>	<p>Implemented programs aimed at whole-of-government coordination of public sector management and enhancement of lead agency capabilities. Developed QPS framework for service improvement (incl. Stage 2 Leadership Framework to increase executive capabilities). (p. 26)</p> <p>Undertook Staff Attraction and Retention Review to improve QPS recruitment and working arrangements; undertook review of SES management to enhance staff mobility and deployment options. (pp 30, 35)</p> <p>Amended CEO and SES contracts to reflect changes to QLD government superannuation scheme; implemented phasing out of SES1 level roles and recruitment to Senior Officer (SO) level below SES in line with requirements of the <i>Public Service Act 1996</i>. (p35)</p>	<p>Amended two directives relating to acting arrangements in CEO roles; in their place issued (Jul 1999) revised Directive 29/99 'Senior Executives and Senior Officers – Employment Conditions'. (p. 31)</p> <p>Amended 'Senior Executives and Senior Officers – Employment Conditions' directive, issued (Jan 2000) as Directive 1/00. (p. 70)</p>	
<p>1996</p>			<p><i>Public Service Act 1996</i></p> <p>Abolished the PSMC and established the Office of the Public Service and the Office of the Public Service Commissioner.</p>
<p>1994</p>			<p><i>Public Sector Ethics Act 1994</i></p> <p>Outlines the ethical obligations of employees within the Queensland public service.</p> <p>Requires agencies and public sector entities to develop and implement a code of conduct based on integrity and impartiality, promoting the public good, commitment to the system of</p>

			government, and accountability and transparency.
1991	Jan: Further Proposals on a Senior Executive Service for Queensland	PSMC Management Standards: – Recruitment and Selection; Performance Planning and Review; Grievance Procedures (Selth, 1991)	<p><i>Public Sector Management Commission Regulations 1991</i></p> <p>Provided for standards for recruitment and selection processes, remuneration, performance management, professional development and other human resources practices (Selth, 1991).</p> <p><i>Public Sector Legislation Amendment Act 1991</i></p> <p>Established the Senior Executive Service (SES)</p> <p><i>Public Service Management and Employment Amendment Regulations (No 2) 1991</i></p> <p>Set salaries and entitlements for the SES, making public what had previously been “hidden contract entitlements” (Beattie, 1991).</p>
1990	Public Sector Management Commission (PSMC) May: Green Paper issued Nov: Operationalisation of the SES paper	Conducted wide-ranging departmental reviews, established a Senior Executive Service and created public service standards.	<p><i>Public Sector Management Commission Act 1990</i></p> <p>Established the PSMC</p>
1989	27 departments reduced to 18		<p><i>Electoral and Administrative Review Act 1989</i></p> <p>Authorised investigation of the state and local government electoral systems, the operation of Parliament and the public administration of the state.</p>

1988			<p><i>Public Service Management and Employment Act 1988</i></p> <p>The Public Service Board was dissolved and replaced by the Office of Public Service Personnel Management.</p>
1987	Savage Committee – produced 90 reform recommendations.		<p><i>Public Service Boards Powers and Functions Act 1987</i></p> <p>Public Service Board abolished. Replaced with the Office of Public Sector Personnel Management</p>
1901–1970			<p><i>Public Service Act 1901</i></p> <p><i>Public Service Act Amendment Act of 1920</i></p> <p><i>Public Service Act 1922</i></p> <p><i>Public Service Amendment Act 1924</i></p> <p><i>Salaries Act 1930</i></p> <p><i>Salaries Act Repeal Act 1938</i></p> <p><i>Officers Salary Act 1945</i></p> <p><i>Public Service Act Amendment Act 1950</i></p> <p><i>Public Service Act Amendment Act 1968</i></p> <p>Abolished the role of Public Service Commissioner, replacing it with a three-member Public Service Board.</p>
19 th century			<p><i>Civil Service Act 1863</i></p>

			<p><i>Civil Service Act Repeal Act 1869</i></p> <p><i>Public Service Act 1896</i></p> <p><i>Civil Service Act 1889</i></p> <p>Established a Civil Service Board comprised of senior bureaucrats “to take matters of examinations, promotions, employment terms and conditions and discipline out of the hands of ministers” (Lauchs & Staines, 2009, p. 2).</p>
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