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## **SUBMISSION TO ADVISORY GROUP ON REFORM OF AUSTRALIAN GOVERNMENT ADMINISTRATION**

The Advisory Group on Reform of Australian Government Administration states its main purpose is to devise a blueprint for reform of Australian Government Administration. The following steps are suggested as a result of responses to the questions outlined later from the paper on 'Reform of Australian Government Administration: Building the world's best public service' (October 2009):

1. Outline the agency names, missions, key functions and numbers of people employed in the 97 agencies of the Australian Public Service (APS).
2. Select most members of the Senior Executive Service (SES) from outside the APS so those occupying such contract positions reflect the knowledge of relevant Australian industries, related communities and individuals, rather than the narrowly bureaucratic knowledge and interests of the agencies which currently produce the SES.
3. With the agreement of the Council of Australian Governments (COAG) outline the names, missions, key functions and numbers of people employed in the agencies of state and territory governments and local government authorities to identify bureaucratic areas of common interest with the APS and to streamline all service provision in the national interest of Australian and related regional communities, industries and individuals.
4. Recognize that good governance normally requires clear separation of government policy from its administration, with the former driving competitive, transparent, service provision (Hilmer, 1993) so all may identify a range of economic, social and environment related outcomes. Program budgeting, as partially implemented in the public service by Wilenski (1982; 1986) is central to this broadly scientific management approach.
5. Relevant international and national standards should be applied flexibly in national and related regional and local arenas and supported by plenty of plain English information and channels for related public education, clear administration and dispute resolution.
6. Find out what the 33% of APS employees now working in corporate services; legal and administrative support are doing and how and why they think they are doing it, so as to occupy them better.
7. Encourage wider contribution to policy debate and independent inquiries carried out by the Productivity Commission or other bodies set up by government and ideally discussed widely in the media, to broaden the vision of Australians and to educate all better.

The blueprint for action suggested above reflects the commonly expressed concerns of the Advisory Group and of the Prime Minister who has emphasised 'the importance of more inclusive policy processes within the APS, as well as an overall expectation that the Commonwealth public service will work more constructively with its state and territory counterparts' (p. 17). Working constructively with local government, industry and non-profit organizations is equally important for attainment of the national interest and related goals of this inquiry. See the supporting answers to the questions posed below.

## **1. Do you think Chapter 1 accurately captures the role of the Australian Public Service (APS)?**

No. What do 160,000 public servants in 97 agencies do? One cannot reform Australian Government administration without first knowing the answer to this question. The only information provided on this is in Figure 1.1 which has the names and numbers of people employed in the five largest and five smallest agencies. What about the other 87 agencies? What are the missions, key functions and numbers employed in all 97? Until this information is available it is not possible to suitably align the activities of Commonwealth, state and local government with related industries and communities, including non-profit organizations, which must be done to serve the population well.

## **2. What are the implications of the statistical snapshot and of employees' views and attitudes in Chapter 1 for the future of the APS?**

The snapshot in Chapter 1 suggests a very inward looking and disgruntled service, especially when coupled with the later figure 4.3 entitled 'Sources of recruits to senior executive service (SES)' (p. 18). This shows recruitment to senior management positions in the service is overwhelmingly from inside a specific agency or the APS. Only 45% of Australian public servants think their organization is well managed and only 16% of non SES employees consider their senior colleagues to be part of a broader leadership group.

Given the typically narrow channels of recruitment to the SES it seems unlikely that those working in the service are capable of either understanding or responding appropriately to communities or businesses, or of coordinating APS services with those provided by state or local government or by related non-profit organizations. The isolation of Canberra from other cities where most people live exacerbates this problem.

The Productivity Commission is currently inquiring into the exorbitant salaries paid to some private sector executives. Narrow recruitment channels promote narrow perspectives and unjustified privileges at the top of public service organizations as well as outside them, against the national and individual interest in much broader, cooperative understanding. This broad understanding cannot occur in many self-protecting organizational silos, where those with power dominate the culture and others jealously struggle upward in the hope of gaining the place in the sun they may think of as their due.

Figure 1.8 indicates that only 6% of people in the Australian public services are from non-English speaking background. The concept of non-English speaking background does not appear to be used by the Australian Bureau of Statistics. However, one in four Australians was born overseas. Many more recent arrivals appear to be from Chinese, Italian or Vietnamese backgrounds, according to the 2006 census. While it is often vital that public servants have excellent facility with written English, it is not my experience that the Anglo-Saxon necessarily has this capacity. Under the circumstances, and given Australia's increasingly close ties with Asia, the proportion of people from non-English speaking backgrounds in the Australian public service appears to be unacceptably low.

Around 18% of the Australian population consider themselves to have one or more disabilities and disability is extremely closely associated with the ageing process. The Australian population is ageing and policies to support all effectively in the future should be

of great concern. Only 3.1% of Australian public service employees report having a disability so this does not appear to be a good start.

The primary identification of 60% of APS employees is with their agency specifically, rather than with the APS more broadly. One assumes the questionnaire did not ask whether any APS employees identify with the Australian people, instead of the bureaucracies the latter must often battle to get their needs met. This is not a trivial issue. In contrast, the Code of Professional Conduct for Nurses repeatedly stresses the important duty the nurse owes to the people receiving care, rather than to the organization which employs her and her colleagues. I used to work in the NSW public service. I well understand the bureaucratic mentality which encourages identification with the immediate organization and promotes secrecy, while seeing those outside it as the enemy.

Too many public servants do not understand who they are meant to be serving.

### **3. What are the most important challenges facing the public sector over the next ten years?**

The Australian people live, do their business and may volunteer assistance to others in many geographic, industrial and other kinds of communities. The United Nations (UN) and its key agencies, the World Health Organization (WHO), the International Labor Organization (ILO) and the UN Education, Scientific and Cultural Organization (UNESCO) define a community as:

- a. a group of people with common interests who interact with each other on a regular basis; and/or
- b. a geographical, social or government administrative unit

The person living and working in any region of Australia is currently faced by mountains of law and related red tape which may be generated and applied with a narrowly authoritarian and ignorant mindset which often contributes to secretive operation and lack of accountability, rather than to broadly evidence based decisions, action and record keeping in any geographic arena or related community, family and personal context.

The most important challenge is to establish public regulatory and operational procedures which are clear, rational and broadly scientific rather than narrowly regulation driven, dysfunctional, opaque and costly. The related challenge for the APS is to regulate and deliver services in a way which is not bound by the ruling mentality of the particular bureaucratic silo or the vested political interests of the moment.

More open, broad and relevant community and industry recruitment to the SES is a vital step for dealing with these problems. Five year contracts seem reasonable. One also needs to know the missions and related key functions of all 97 APS agencies, related state government agencies and local governments in order to identify how these organizations may best be merged to deliver regulation and services more effectively to communities and businesses across Australia, with the support of many non profit organizations.

### **4. What are the key implications for how the public service will need to operate?**

Good governance normally requires clear separation of government policy from its administration, with the former driving transparent, service provision (Hilmer, 1993) so all

may identify a range of economic, social and environment related outcomes comparatively. Program budgeting, as partially implemented in the public service by Wilenski (1982; 1986), is central to this ideal management approach. Managers ideally start with program or project aims which have been consultatively developed, then establish strategies to meet them and prepare a related budget. Activities are monitored and their outcomes are measured in the light of general aims.

In 1993, Hilmer defined competition as, 'striving or potential striving of two or more persons or organizations against one another for the same or related objects' (1993, p.2). The vital insights of Wilenski and Hilmer in regard to good administration, national competition policy and sustainable development were perverted by those who should have implemented them but who responded instead to ancient adversarial, secretive, incomprehensible, pre-scientific and anti-democratic legal and commercial traditions.

Many ways to combat such problems are currently being discussed by G20 Leaders. Laws should have clear objects. Key definitions and all related text should be as close as possible to common dictionary usage to avoid increasingly dysfunctional interpretations.

The aims and key requirements of related legislation should be openly and flexibly applied and evaluated in linked regional industry and community contexts to obtain the best balance of outcomes, not be driven prescriptively in their own right. To do the latter is bureaucratic madness. As the Victorian Competition and Efficiency Commission recently pointed out, the broad reach and complexity of Victoria's framework of environmental regulation alone, indicates 43 environmental acts and over 9000 pages of related legislation (2009, p. 37). This cannot be rationally addressed in isolation from the related geographic, industry and community contexts in which it is ideally applied as openly, flexibly and scientifically as possible, along with other legislation relevant to the geographic and related community context, to achieve all key goals competitively.

The lawyer's perspective, which pursues a single piece of legislation made increasingly stupid over time, is mad. Yet this narrowly aggressive, rule bound male perspective has ruled us all for centuries and also created the many problems of bureaucracy that Weber wrote about. The answer to such problems lies in more natural and modern communication, education and accountability. Destroy the controlling feudal outlook which often finds its greatest support in a hidebound public service.

Since the 1960's, the development of the Australian national reserve system has been based on the biodiversity related principles of comprehensiveness, adequateness and representativeness (CAR). These international scientific principles are directly related to the development of the Interim Biogeographic Regionalisation of Australia (IBRA) system which divides Australia into 85 distinct biogeographic regions and 403 sub-regions. IBRA provides a scientific land planning framework and tool which should aid development proposal evaluation and the realization of the CAR principles in the related development of all national and regional planning for more sustainable development.

Those engaged in trade are ideally defined simply, consistently and clearly, in related industry and community contexts, unless another course of action is appropriate for good reason. As recommended by the Productivity Commission, the Australian and New Zealand Standard Industrial Classification (ANZSIC) classifications should be incorporated into all industry management and related scientific practices unless there appears to be good reason

to do otherwise. Legal and financial interests have been hostile to this because it would greatly inhibit their capacity to take other peoples' money by using controlling and confusing language, preferably numerical, or other secret action.

The types of categorization outlined above ideally create a regional and organizational planning framework in which all economic, social and related environmental goals may be more rationally and openly pursued and their processes and outcomes compared through the balanced application of clear legislative aims and the evaluation of all related regional and organizational practices. In this ideal context, Figure 8.3, which indicates that 33% of APS employees work in corporate services; legal and administrative support is of great concern. One wonders what exactly these people are doing, how and why. I bet they are often driving everybody else crazy with their nit-picking controls and secrecy requirements while also ensuring more rational program delivery does not occur. Repetitive, bureaucratic and time-wasting trivia, such as lengthy 'Guidelines for submissions' and special 'Cover sheet' requirements often seem more like exercises in domination by comparatively mindless persons, who would be better off kept busy elsewhere, out of the hair of those trying to be more thoughtfully productive.

**6. Do the five key characteristics outlined in Chapter 3 adequately encapsulate what you would expect from a high performing public service?** They seem fine to me.

**10. Are further reforms needed to clarify the roles and responsibilities of the APS when dealing with ministerial offices?**

Dealing with ministerial offices should be as much as possible like dealing with anybody else in the Australian community. One should normally be as open, informed and honest as possible and clearly document the advice, if this seems likely to be required for judgment. Use email. Such practice is what counts for development of good societies, wherever one stands. Get past the pre-scientific operations of lawyers and their closed commercial or bureaucratic fiefdoms which have also captured the public service in many cases. This dominating paradigm remains feudally anti-democratic and hinders the potential for sustainable development as the global financial crisis has recently shown.

**6. How can internal and external collaboration be strengthened to improve policy development and implementation?**

When one is working on a policy problem, one should naturally consult all those persons who appear most likely to be able to provide one with the best advice. Consideration of issues in the public service is often too narrowly circumscribed to be very useful. The use of the term 'professional' too often denotes support for a blinkered obsession with secretively advancing a narrowly hierarchical, legal, economic, or related dogma and the pursuit of its supporting interests, which may sometimes also pose as scientific.

More people should be encouraged to contribute to Productivity Commission and related government inquiries, in order to contribute their knowledge and to demonstrate their broad competence with the policy issues and relationships attached. Currently such inquiries are not the focus of attention of many public servants or academics. Yet such people might logically be expected to be capable of making more disinterested contributions to many crucial matters of debate, in comparison with those contributions made by particular industry or community groups or individuals whose knowledge and interests are often more intimately

tied to a particular position. This is not to suggest that the often more practical engagement of the latter groups should not be equally valued.

I have been making submissions to Productivity Commission and related public inquiries since I worked in NSW government for ten years commencing in the 1980s and during a further eleven years as a lecturer at Sydney University. I have continued the process in retirement since mid 2007. In my view such inquiries should have a more central role in assisting the rational progress of Australian society because they generally consider matters comparatively broadly and more rationally and democratically than is possible by any other method. They ideally promote public education by providing the opportunity for learning, contribution and further debate through the media, as well as participation.

It is a great pity that such inquiries are not taken more seriously by all the people who should either be implementing their findings or giving cogent reasons for rejecting them. In comparison, isolated pockets of policy discussion occurring between academics or anybody else are often a waste of time, in my opinion. Their publication often does little except deliver the academic with brownie points for promotion while encouraging diverse, stupid jargon which is often incomprehensible to any outside the small but charmed academic circle which may then also seek to establish links with like-minded interests in the public service. The collegiate culture does not express the public interest. When I think of public servants who naturally refer to powerful legal, economic and commercial interests but ignore the rest of the community I could rip their heads off.

Thank you for the opportunity to make this submission.

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