



Speech By  
**Hon. Anastacia Palaszczuk**


**MEMBER FOR INALA**

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Record of Proceedings, 14 October 2022

## **PUBLIC SECTOR BILL**

### **Introduction**

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (12.36 pm): I present a bill for an act to provide for the administration of the public sector, the employment arrangements for public sector employees, a fair and responsive public sector and particular matters relating to individuals other than public sector employees, and to amend this act, the Ambulance Service Act 1991, the Crime and Corruption Act 2001, the Fire and Emergency Services Act 1990, the Legal Aid Queensland Act 1997, the Ombudsman Act 2001, the Supreme Court Library Act 1968, the TAFE Queensland Act 2013 and the acts mentioned in schedule 3 for particular purposes, and to repeal the Public Service Act 2008. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Economics and Governance Committee to consider the bill.

*Tabled paper:* Public Sector Bill 2022 [1675](#).

*Tabled paper:* Public Sector Bill 2022, explanatory notes [1676](#).

*Tabled paper:* Public Sector Bill 2022, statement of compatibility with human rights [1677](#).

My government is committed to an integrated and responsive public sector with purpose and integrity, focused on improving the lives of Queenslanders. My government understands the importance of fairness, inclusion and security in public sector employment to ensure employees are supported in delivering frontline services to the community. That is why I commissioned an independent review of public sector laws by Mr Peter Bridgman, the first in over 30 years. His report recognises that a fair, inclusive and responsive public sector is best achieved by placing employees at the centre of the employment system.

This bill implements the Bridgman review recommendation for a new modern Public Sector Act. It also supports the public sector workforce renewal envisaged by Professor Peter Coaldrake's report *Let the sunshine in: review of culture and accountability in the Queensland public sector*. The bill also complements aspects of the Integrity and Other Legislation Amendment Bill 2022 by ensuring the independence of certain core integrity bodies who do not employ public servants by not including the Queensland Ombudsman and the Crime and Corruption Commission in the scope of the bill.

This bill will enrich the public sector in Queensland, helping ensure we have a responsive Public Service that gives fearless and frank advice. We have taken a two-stage approach to implement the recommendations of the Bridgman review. The first stage culminated in amendments to the Public Service Act 2008 which commenced in 2020. That first stage delivered immediate implementation of recommendations to maximise our commitment to employment security, providing Public Service employees with access to positive performance management. This bill builds on these reforms and implements the final stage of the legislative reforms of the Bridgman review. It delivers the primary recommendation of the Bridgman review by repealing the Public Service Act 2008 and replacing it with the new Public Sector Act 2022. The bill extends application of relevant employment arrangements beyond the Public Service to the broader public sector.

There are four key aspects to the bill. Firstly, to support the Statement of Commitment to a Reframed Relationship to recognise the unique role that public sector entities and employees have in supporting the government to reframe its relationship with First Nations people. The distinct cultural rights of First Nations people are promoted through the inclusion of responsibilities to recognise and honour Aboriginal peoples and Torres Strait Islander peoples as the First Peoples of Queensland.

Secondly, this bill creates a positive duty for public sector entities to promote equity, diversity and a culture of respect and inclusion. This includes layering of accountabilities for fairness, including requirements for chief executives to take active steps to promote equity, diversity, respect and inclusion. Chief executives must now undertake an annual audit and plan for equity and diversity. These plans must be made public to ensure effective performance monitoring and to drive positive change.

The bill also requires chief executives to ensure programs, policies and practices promote a culture of respect and inclusion. My government is committed to a respectful and inclusive public sector culture where all employees feel safe, valued, accepted and supported. These mechanisms establish a nation-leading, responsive and forward-looking framework to support a high-performing public sector that reflects and represents the community.

In accordance with the Bridgman review, the bill retains the primacy of merit while reconciling this with the role that recruitment and selection play in supporting equity, diversity, respect and inclusion in public sector employment. It does this by recognising that recruitment and selection in the public sector is based on selecting the person best suited to the position. It includes a holistic consideration of the person's ability to perform the requirements of the position and the positive impact that flows from a diverse workforce that reflects the diverse experiences and backgrounds of the people they serve.

Thirdly, the bill ensures all public sector employees have a consistent and fair employment framework, including rights and obligations. By expanding the existing Public Service employment framework to a broader public sector, we are ensuring greater consistency in the employment experience. Therefore, the bill establishes contemporary values-based principles to guide public sector employers and employees in their service to guide the working culture.

This bill further strengthens the government's ongoing commitment to maximising employment security by specifying that employment of all public sector employees is generally on a permanent basis or on tenure. Non-permanent forms of employment can only be used when permanent employment is not viable or appropriate. Conversion rights are extended so employees can seek to convert to permanent employment. The number of opportunities for chief executives to review the employment arrangements of their non-permanent staff, with a view to permanency, are increased.

The bill includes enhanced mobility arrangements to ensure employees can move across the sector to meet surge or emerging priorities and to provide professional development opportunities. Collaboration is further emphasised by enabling the establishment of task forces to overcome problems of cross-agency activity in tackling emerging, priority or regional issues facing Queenslanders. These changes also enhance the role of the Senior Executive Service and Chief Executive Service to prioritise important policy challenges and to better facilitate their mobilisation and development.

Finally, I want to address the new forward-looking governance arrangements under the bill. My government is committed to improving a culture of public sector accountability. The bill supports the public sector workforce renewal envisaged by both the Bridgman review and the Coaldrake report, and drives a culture dedicated to accountability and performance. The bill establishes the Public Sector Governance Council as the oversight body to provide system leadership, including robust advice to government on complex challenges. As recommended by Professor Coaldrake, the council will include members outside government to ensure access to valuable commercial and community insights.

The Public Service Commission will be replaced with the Public Sector Commission, with the role of key system leadership and oversight as the central human resources agency and to promote an ethical public sector culture. The public sector stewardship will be shared by the Public Sector Governance Council, the Public Sector Commission, the Public Sector Commissioner, special commissioners and departmental chief executives.

Professor Coaldrake highlighted the importance of the tone set from the top, driving a culture of integrity, accountability and performance. Chief executives of departments are critical to shaping organisational culture. The bill delivers on Professor Coaldrake's recommendation to strengthen the stability of government and public service leadership performance by requiring five-year appointments for chief executives, with the potential for further appointment. That is supported in the bill by a strong performance framework where the premier of the day sets clear expectations of chief executive performance and accountability, including ethical standards and competencies. The premier, and by delegation the chairperson of the Public Sector Governance Council, will monitor the performance of chief executives of departments and authorise their performance reviews. Together, these requirements

will ensure we maintain a high-performing executive leadership for Queensland. The premier or the council may commission a review of matters, including those relating to public administration or Public Service management. Core integrity bodies continue to be excluded from application of these reviews. An alternative mechanism enables the application of public sector employment arrangements to staff of these entities.

The bill was subject to extensive consultation with Queensland government agencies and public sector unions, and provides all public sector employees with a modern, simplified and employee focused legislative framework. This furthers the Queensland government's commitment to being fair, responsive and a leader in public administration. I commend the bill to the House.

### **First Reading**

**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (12.44 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to Economics and Governance Committee**

**Mr DEPUTY SPEAKER** (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Economics and Governance Committee.