

No. 11 – CORPORATE INFORMATION

Witness(es) Assisting:	Michael Campbell - Chief Operating Officer
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OFWO response to the Robodebt Royal Commission

20. On 7 July 2023, the Royal Commission into the Robodebt Scheme delivered their final report to the Governor General which made 57 recommendations. The recommendations relate to specific Government agencies and departments, e.g. Services Australia, and some to the Australian Public Service in general.
21. The OFWO have reviewed the report, with further consideration to be given to relevant recommendations and observations contained.
22. OFWO staff have also attended information sessions on the recommendations as they have become available, with an internal session facilitated by the OFWO's Legal team occurring on 12 October 2023.

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Agency Consultative Forum Meeting Outcomes

MEETING DATE: 10 August 2023

TIME: 1:30pm – 3pm

MEETING FORMAT: Microsoft Teams

In Attendance

Simon Delamont (Chair and Executive Director, People),

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and s.22 irrelevant information (Secretariat).

Apologies

Michael Campbell, s.22 irrelevant information s.22 irrelevant information

Additional Speakers

s.22 irrelevant information (Director, Property Services), s.22 irrelevant information (Agency Security Adviser)

Agenda Items

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Submission two: Making the repercussions of Robodebt a standing agenda item. If the changes in response to the Robodebt Report are substantial, we will need to be kept informed.

Answer: The Chair noted that the government is still considering the recommendations. Further information/links have been noted as an action item to send to members.

Action item: Information to be distributed to ACF members.

Post-meeting update: Completed. Email was sent to ACF members to distribute prior to ACF minutes. Update has also been noted below:

57 recommendations have been made by the Royal Commission into the Robodebt Scheme. Whilst many of these are specific to Department of Human Services / Services Australia, there are also recommendations in relation to the data-matching processes, automated decision-making, legal

services and improving the public service, amongst others. A full list of the recommendations is available here: [Report | Royal Commission into the Robodebt Scheme](#).

A taskforce led by the Department of the Prime Minister and Cabinet, the Attorney-General's Department and the Australian Public Service Commission (APSC) has been formed to consider the Commissioner's recommendations and lead the development of advice to Government on responding to the report.

There has been broad support at the APS Bargaining table for a common condition relating to integrity and transparency to be included in Enterprise Agreements. The proposed clause underscores the importance of procedural fairness in building trust with APS employees, and fair and impartial processes for employees affected by agency decisions. The clause also supports the provision of frank, honest, and timely advice based on the best available evidence.

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Actions Arising

Agenda Item No.	Action Arising	Responsible Person	Due Date	Progress
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8	Links to resources/communications available for the Royal Commission into the Robodebt Scheme.	Simon Delamont	August 2023	Completed. See above.
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From: [VOLZKE, Rachel](#)
To: s.22 irrelevant information
Subject: Robodebt Royal Commission Report - Senate Estimates Brief [SEC=OFFICIAL:Sensitive]
Date: Thursday, 18 January 2024 3:42:13 PM

OFFICIAL: Sensitive

Robodebt Royal Commission Report

Monday, 16 October 2023
10:21 AM

2023 Budget Estimates

ROBODEBT ROYAL COMMISSION REPORT

Key Points/Talking Points

- We have read the Report, in particular the chapter dealing with Lawyers and Legal Services and understand the clear concern that the relevant legal areas were motivated by loyalty to their internal clients rather than by their ethical duty to avoid any compromise to their integrity and professional independence.
- The FWO's Legal Group already has in place structures and arrangements to ensure the professional independence of our lawyers. Following on from the Report, we are reviewing our processes to ensure that our lawyers continue to be supported by a culture which values and protects the giving of independent, ethical and professional legal advice, regardless of our internal clients' particular expectations or interests.

Background

- All lawyers at the FWO are aware of and take seriously their **paramount duty to the court and the administration of justice**, which prevails to the extent of inconsistency with any other duty.
 - All FWO lawyers are required to hold practising certificates and are entered in the Register of Practitioners maintained by the High Court of Australia.
 - They must meet a range of **professional, ethical and legal requirements** in delivering independent legal advice, litigation and other assistance.
- It is a priority of the Legal Group that all lawyers understand and meet their professional, legal and ethical obligations. To ensure we meet our high standards in this regard, we are currently reviewing our approach to legal practice in light of the Robodebt Scheme Report. To support our existing practice, we:
 - model appropriate behaviour from the Chief Counsel down
 - provide continuing professional development and other relevant training
 - have second counselling and other supervision, review and approval mechanisms
 - regularly review policies, procedures and template documents, and
 - engage independent external legal advice and assistance in appropriate circumstances.
- As there is always more to learn, we are **taking steps to make further improvements**, including:
 - preparing proposed legal practice standards to assist with ensuring our structures and systems support our lawyers' professional independence, establishing and maintaining legal professional privilege as well as a broader culture focused on integrity, ethics and accountability, and
 - AGS expert s.22 irrelevant information is presenting to the Legal Group about reflections from the Report for public servants generally and an hour specifically on lessons learned for Australian Government lawyers.

FWO Information Governance Strategy 2023-2025

[SEC=OFFICIAL:Sensitive]

From: "MOORE, Penelope" s.22 irrelevant information
To: FWO - Executives s.22 irrelevant information
Cc: s.22 irrelevant information
Date: Mon, 31 Jul 2023 17:14:07 +1000
Attachments: FWO Information Governance Strategy 2023-2025.pdf (1 MB)

OFFICIAL: Sensitive

Dear Colleagues

I am pleased to present to you the FWO *Information Governance Strategy 2023-2025*.

The Strategy includes six key actions which are designed to assist the FWO to:

- bolster our information and data management and protection practices
- respond to an escalating threat environment
- anticipate upcoming integrity reforms as a result of the National Anti-Corruption Commission legislation and the recommendations made in response to the Robodebt Royal Commission.

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Please do not hesitate to contact me or s.22 irrelevant information if you wish to discuss further.

Many thanks.

Penny

Penelope Moore (she/her)
Executive Director Corporate Services (A/g)

FAIR WORK OMBUDSMAN

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GPO Box 9887 Adelaide SA 5002 | Level 2, 148 Frome Street, Adelaide SA 5001



The Fair Work Ombudsman and Registered Organisations Commission Entity acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters and community. We pay our respect to them and their cultures, and Elders, past, present and future.

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OFFICIAL: Sensitive

Corporate Board: Call for Items - 18 October 2023

From: FWO - Corporate Board Secretariat s.22 irrelevant information
To: "CAMPBELL, Michael" s.22 irrelevant information, "SCULLY, Mark" s.22 irrelevant information
 "VOLZKE, Rachel" s.22 irrelevant information, "LEWIS, Gabrielle" s.22 irrelevant information,
 "HANNAH, Kristen" s.22 irrelevant information

Cc: s.22 irrelevant information

"DELAMONT, Simon" s.22 irrelevant information s.22 irrelevant information
 "PRICE, Rebecca" s.22 irrelevant information, "DIMITROVSKI, Dimitar" s.22 irrelevant information
 "BLEESER, Naomi" s.22 irrelevant information s.22 irrelevant information
 "PETERS, Louise" s.22 irrelevant information "MARLEY, Michelle" s.22 irrelevant information
 s.22 irrelevant information

Date: Fri, 06 Oct 2023 16:32:09 +1100

Good afternoon everyone

For the next Corporate Board meeting on Wednesday 18 October, we have the items listed in the table below:

Wednesday, 18 October 2023	SPONSOR	CONTACT
s.22 irrelevant information	Mark Scully	Simon Delamont
s.22 irrelevant information	Michael Campbell	Dimitar Dimitrovski
Robodebt Update	Michael Campbell	Rebecca Price s.22 irrelevant information
s.22 irrelevant information	Michael Campbell	Rebecca Price
	Michael Campbell	Rebecca Price
	Michael Campbell	Rebecca Price s.22 irrelevant information
	Michael Campbell	Simon Delamont
	Michael Campbell	Simon Delamont
	Michael Campbell	s.22 irrelevant information
	Mark Scully	Naomi Blesser

Please send through any amendments by 5pm Monday 9 October.

Papers will be due by midday Thursday 12 October. Please use this link for the [CB Paper Template](#).

Warm regards

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Office of the Fair Work Ombudsman
FAIR WORK OMBUDSMAN

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Proposed FWO Snapshot topics [SEC=OFFICIAL]

From: s.22 irrelevant information

To: "RONSON,Steven" s.22 irrelevant information "BLEESER,Naomi" s.22 irrelevant information
 "FOGARTY,Anthony" s.22 irrelevant information, "PETERS,Louise" s.22 irrelevant information
 "DELAMONT,Simon" s.22 irrelevant information, "DIMITROVSKI,Dimitar" s.22 irrelevant information
 "CHAFFER,Nicky"
 s.22 irrelevant information "DENNIS,Janine" s.22 irrelevant information, "SMITH,Brodie"
 s.22 irrelevant information, "NICHOLAS,Phoebe" s.22 irrelevant information, "PRICE,Rebecca"
 s.22 irrelevant information, s.22 irrelevant information

Cc: s.22 irrelevant information

Date: Wed, 11 Oct 2023 13:01:12 +1100

Good afternoon all,

Please see the below proposed topics for this week's FWO Snapshot.

If you have any suggested changes or initiatives you would like to include please let me know.

Proposed topics

- Intro

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- Legal meeting – Reflections on the report of the Robodebt Royal Commission for Public Servants (TBC)

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Regards,

FAI s.22 irrelevant information | Director – Internal Communications
 s.22 irrelevant information ODSMAN



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A message to all staff - APS Integrity Taskforce Report

From: PM&C Secretary and APS Commissioner <apscommissioner@apsc.gov.au>
To: "PRICE, Rebecca" **s.22 irrelevant information**
Date: Fri, 17 Nov 2023 13:07:45 +1100

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All staff message Secretary Davis and Commissioner de Brouwer

Colleagues,

Today the Secretaries Board published the [APS Integrity Taskforce report 'Louder than Words: An APS Integrity Action Plan'](#).

Integrity is deeply important to our work in the public service. It underpins the trust of the Australian public, who rely on us to serve their interests and deliver the best outcomes for Australia.

The Secretaries Board is committed to promoting a pro-integrity culture where all staff feel confident to contribute ideas, provide frank and independent advice and report mistakes. In this spirit, Secretaries Board set up the APS Integrity Taskforce.

The Taskforce was asked to take a 'bird's-eye' view of the APS integrity landscape, to identify gaps and look for opportunities to learn from and build upon the important work already progressing across the service. The work of the Taskforce complements the Integrity pillar of the government's APS Reform agenda and the establishment of the National Anti-Corruption Commission. It is particularly pertinent in the context of the release of the [Government's Response to the Robodebt Royal Commission](#) this week.

We encourage all staff to reflect on how integrity shapes our work for the Australian public. The ['Integrity Good Practice Guide'](#) includes a range of practical examples of how you can contribute to a pro-integrity culture.

Work to implement the Taskforce's recommendations is already underway and will ensure we have the right frameworks in place to recruit and to recognise people whose behaviour is consistent with the public service

values. A revised [SES Performance Leadership Framework](#) gives equal weighting to leadership behaviours as well as outcomes. The APS Academy's [Integrity Masterclass](#) is running regularly for SES leaders. There are also measures to focus on ensuring legality across APS practices and government policies, programs and services, reinforcing the importance of good recordkeeping, and enhanced contract management and procurement practices.

Thank you for your ongoing commitment to embodying the [APS Values](#) in every aspect of your work.

Professor Glyn Davis AC
Secretary
Department of the
Prime Minister and Cabinet

Dr Gordon de Brouwer PSM
Australian Public Service Commissioner

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This email was sent by Australian Public Service Commission, B Block, Treasury Building, Parkes Place West, PARKES ACT 2600, GPO Box 3176 CANBERRA ACT 2601 to rebecca.price@fwo.gov.au



A message to you from PM&C Secretary Davis and APS Commissioner de Brouwer

From: Glyn Davis & Gordon de Brouwer <apsccommissioner@apsc.gov.au>
To: "O'SHEA,Tom" s.22 irrelevant information
Date: Mon, 10 Jul 2023 15:32:03 +1000

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All staff message Secretary Davis and Commissioner de Brouwer

Colleagues

We would like to talk with you about the release last Friday of the findings from the Royal Commission into the Robodebt Scheme.

We want you to know the Australian Public Service takes the Royal Commission's findings seriously.

We are committed to working through the findings in an open and constructive way with you—the APS—and with the Australian public.

We know the vast majority of public servants are committed to providing quality advice and dedicated service consistent with the APS values and code of conduct. Australians see the important and meaningful work that you and your agencies do every day, and the professional and diligent way you do it.

Following the release of the report on Friday, a taskforce led by the Department of the Prime Minister and Cabinet, the Attorney-General's Department, and the Australian Public Service Commission will be established to support Ministers in preparing the Government's response.

Separate to this, the APSC will oversee an independent process to determine if public servants with adverse

findings have breached the APS Code of Conduct. This process will be established under the APS Commissioner's powers in the Public Service Act 1999. It is designed to be fair, independent, and consistent.

The APSC has engaged Mr Stephen Sedgwick AO to exercise these powers as an Independent Reviewer. Mr Sedgwick will make inquiries and determinations about whether an individual referred for inquiry has breached the [APS Code of Conduct](#).

We will continue to talk with you about the Government's response and what it means for you. [Integrity](#) and stewardship are integral to the work of the APS, our responsibilities serving the community, and the trust the community places in us.

We echo the Prime Minister's thanks for the many public servants who assisted the Commission. We reiterate the continuing importance of an effective working relationship between the APS and the Government.

Thank you for your ongoing commitment to embodying the APS values in every aspect of your work.

We recognise this message and the Royal Commission's findings may have an impact. Support is available. We encourage you to contact your agency's Employee Assistance Program. Alternatively, the following services are available 24 hours a day, 7 days a week:

- [Beyond Blue Support Service](#) – Provides immediate, short-term counselling, advice and referral services. Phone 1300 224 636, [webchat](#), or search their [forum](#) for free.
- [Lifeline Crisis Support](#) – This is a confidential service providing you with support for when you feel overwhelmed, for when you have difficulty coping, or are thinking about suicide. Phone 13 11 14 or chat to a [crisis supporter online](#).
- [13YARN](#) – Provides crisis support for First Nations people. Phone 13 92 76 or view their services online at www.13yarn.org.au.

Professor Glyn Davis AC
Secretary
Department of the
Prime Minister and Cabinet

Dr Gordon de Brouwer
Australian Public Service Commissioner

This email was sent by Australian Public Service Commission, B Block, Treasury Building, Parkes Place West, PARKES ACT 2600, GPO Box 3176 CANBERRA ACT 2601 to TOM.OSHEA@FWO.GOV.AU



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