

Right to Information Decision

Right to Information No.: RTI201516-036

Information Requested

- 1 Why no names and title of positions are included on DHHS Organisational Chart dated "July 14" and this organisational chart does not seem to accurately reflect DHHS Structure correctly (for example where are the Hospital's correctly listed under the THO's?).
- 2 With regard to the Secretary and four (4) Deputy Secretary position's, how much did DHHS spend on advertising for this position? including a breakdown for each position and the financial year any and all expenses occurred in?
- 3 How much did DHHS spend on relocation and or any removal and or travel costs for all of these SES position? (broken down by financial year and position name)
- 4 What are the name and position's held of each of the Selection Panel's for the above four (4) position's and the date's the interview's were held (broken down by each position and by financial year including any and all cost's associated with the selection panels?
- 5 What is the contracted periods for each of these position (in-year's)?
- 6 What are any and all costs for each of the vehicle for each of these positions? (broken down by position, type and name of each vehicle, cost of each vehicle, change-over cost for each vehicle ? any and all running cost's for each vehicle? (broken down by financial year).
- 7 How many application's were received for each of these positions and how Tasmanian's applied for each of these position's? and how many Tasmanian's were successful/employed?
- 8 What was the Appeal process for all of these positions (including a breakdown of how many appeal's were lodged, a copy of any and all appeal process/policies (broken down for each position)
- 9 What are any and all the Performance Indicators for each position? (broken down for each position).
- 10 How often is any Performance Reviews carried out for this position? and who undertakes the Performance Reviews for all these positions? (broken down by each position)
- 11 What background checks were completed? such as previous employment including any bullying and or harassment allegations, any disciplinary action, written character and written reference checks? any who was contacted via phone to confirm these check's? and when? (and by who?, including a breakdown for each position and a National Police Check was completed for every position and or an International {Police Check and National (Australian) and International Working with Children Checks were carried out for each position? if not? why not?
- 12 Which SES position/s are directly responsible for Child Protection in DHHS for Tasmania? (including the name of the occupant, and how long they have been in the position?).
- 13 Will the Auditor-General be immediately called into independently investigate the current crisis with regard to DHHS Child Protection issues? if not? why not?

Decision and Statement of Reasons

The various questions requested have been answered below. As discussed, this information only relates to our three deputy secretaries, and does not include the Secretary as this information is owned by the Department of Premier and Cabinet (DPAC).

1 Why no names and title of positions are included on DHHS Organisational Chart dated "July 14" and this organisational chart does not seem to accurately reflect DHHS Structure correctly (for example where are the Hospital's correctly listed under the THO's?).

Our organisation chart is designed for top-level viewing of our Agency. As you have mentioned, this structure has changed considerably and is in the final stages of completion after a major review of our structure. When this process is finalised, an updated top-level organisational chart will be uploaded to our website.

Tasmania has 29 hospitals that, at the time of this organisational chart, spanned across the three Tasmanian Health Organisations (THOs). This has now been combined into a single Tasmanian Health Service with jurisdiction over all Tasmanian hospitals. Individual hospitals are not a standard inclusion on the organisational chart. Names of employees are not included to allow for continuity of version – staff can come and go, but the position will typically remain constant.

2 With regard to the Secretary and four (4) Deputy Secretary position's, how much did DHHS spend on advertising for this position? including a breakdown for each position and the financial year any and all expenses occurred in?

Title	Advertising – Mainland	Advertising - Local
Deputy Secretary – Children	\$15,000 ¹	\$1,500 ²
Deputy Secretary – SCWR	N/A ³	N/A ³
Deputy Secretary - SPP	Nil ⁴	Nil ⁴

¹Estimated cost for a quarter-page advertisement.

²Each of the three Tasmanian papers cost on average between \$400 and \$600.

³The recruitment of this position was more than two years ago and information has been destroyed under Disposal Authority DA2157.

⁴This position was filled through transfer of existing offer – no costs are associated with this.

3 How much did DHHS spend on relocation and or any removal and or travel costs for all of these SES position? (broken down by financial year and position name).

Title	Relocation Cost
Deputy Secretary – Children	\$2,067
Deputy Secretary – SCWR	Nil ¹
Deputy Secretary - SPP	Nil ¹

¹This position was filled through transfer of existing offer – no costs are associated with this.

4 What are the name and position's held of each of the Selection Panel's for the above four (4) position's and the date's the interview's were held (broken down by each position and by financial year including any and all cost's associated with the selection panels?

Title	Panel
Deputy Secretary – Children	<p style="text-align: center;">Matthew Daly – <i>then</i> Secretary, DHHS</p> <p style="text-align: center;">Colin Petit - <i>then</i> Secretary, Department of Education</p> <p style="text-align: center;">Scott Tilyard – Deputy Commissioner, Tasmania Police</p> <p style="text-align: center;">Mercia Bresnehan – <i>then</i> Deputy Secretary, DHHS</p> <p style="text-align: center;">Richard Matthews – Independent Panel Member, NSW</p>
Deputy Secretary – SCWR	N/A ¹
Deputy Secretary - SPP	Nil ²

¹The recruitment of this position was more than two years ago and information has been destroyed under Disposal Authority DA2157.

²This position was filled through transfer of existing offer – there was no panel associated with this position.

5 What is the contracted periods for each of these position (in-year's)?

Title	Contract Period
Deputy Secretary – Children	Five years
Deputy Secretary – SCWR	Five years
Deputy Secretary - SPP	<i>Vacant</i>

6 What are any and all costs for each of the vehicle for each of these positions? (broken down by position, type and name of each vehicle, cost of each vehicle, change-over cost for each vehicle ? any and all running cost's for each vehicle? (broken down by financial year).

This information is exempt under Section 36(1) of the *Right to Information Act 2005*. The breakdown of this information is related to the ongoing remuneration of a public service employee and is inherently private – the release of which, could reasonably lead to the staff member's vehicle being identified. General information on vehicles or public servant pay details are routinely covered in the DHHS Annual Report released each year before 31 October.

The public interest test matters have been considered and the following matter has been relied on:

Schedule(1)(m) – whether the disclosure would promote or harm the interests of an individual or a group of individuals.

7 How many application's were received for each of these positions and how Tasmanian's applied for each of these position's? and how many Tasmanian's were successful/employed?

Title	Applicants Received	Tasmanian Applications	Tasmanians Employed
Deputy Secretary – Children	16	3	0
Deputy Secretary – SCWR	N/A ^{1&3}	N/A ^{1&3}	N/A ^{1&3}
Deputy Secretary - SPP	N/A ^{2&3}	N/A ^{2&3}	N/A ^{2&3}

¹The recruitment of this position was more than two years ago and information has been destroyed under Disposal Authority DA2157.

²This position was filled through transfer of existing offer – there were no applications associated with this position.

³Even though no application information is available for this position, the incumbent is a Tasmanian.

8 What was the Appeal process for all of these positions (including a breakdown of how many appeal's were lodged, a copy of any and all appeal process/policies (broken down for each position))

As per section 31(3) of the *State Service Act 2000*, appeal rights do not exist for Senior Executive Positions such as these. Specifically:

31. Appointment, &c., of officers

(1) The Premier, on behalf of the Crown, may appoint a person as an officer to a vacancy –

- (a) in an office created under [section 29](#); or
- (b) in any prescribed office.

(2) The Premier may delegate the power to appoint a person to an office created under [section 29\(4\)](#).

(3) The provisions of this Act (other than [Division 1](#) of [Part 7](#) and [sections 47](#) and [50\(1\)\(a\)](#)) apply to a person appointed under [subsection \(1\)](#) as a senior executive as if that person were an employee.

Section 50 states:

50. Review of actions

(1) Subject to [subsections \(2\)](#) and [\(3\)](#), an employee is entitled to make application to the Tasmanian Industrial Commission for a review –

- (a) of the selection of a person or an employee to perform duties other than duties to be performed for a specified term or for the duration of a specified task; or
- (b) of any other State Service action that relates to his or her employment in the State Service.

(2) An employee is not entitled to make an application for a review under [subsection \(1\)\(a\)](#) if that employee was not an applicant for the duties to which the appointment or promotion relates.

(3) An employee is not entitled to make an application for a review under [subsection \(1\)\(b\)](#) in respect of the termination of the employee's employment.

(4) Notwithstanding anything contained in [subsection \(1\)](#), [\(2\)](#) or [\(3\)](#), disputes in relation to the decision to terminate employment are to be dealt with by the appropriate industrial tribunal in accordance with the legislation under which that tribunal is established.

9 What are any and all the Performance Indicators for each position? (broken down for each position).

Senior Executives have particular accountability for the achievement of Agency and Government goals reflected in their statement of duties, instrument of appointment and performance management system. Senior Executives, in common with all State Service employees, are required to participate in a performance management and development process. Employment Direction No. 17 outlines the recommended approach to performance management and development for Senior Executives. Each Senior Executive has a set of unique set of personal performance indicators developed in their performance development agreement that align with their Statement of Duties, the Senior Executive Capability Framework and include elements such as Agency/Government/Whole-of-Government priorities and Agency values and behaviours. This information is personal and negotiated between the Senior Executive and Head of Agency/Head of State Service.

Further information on the Senior Executive Framework is publically available at http://www.dpac.tas.gov.au/divisions/ssmo/senior_executives.

The public interest test has been applied via the following matters – Schedule 1(1)(m).

10 How often is any Performance Reviews carried out for this position? and who undertakes the Performance Reviews for all these positions? (broken down by each position)

Performance requirements and developments needs for an officer are assessed and reviewed annually for salary progression. These reviews are undertaken by the Secretary as the head of DHHS.

11 What background checks were completed? such as previous employment including any bullying and or harassment allegations, any disciplinary action, written character and written reference checks? any who was contacted via phone to confirm these check's? and when? (and by who?, including a breakdown for each position and a National Police Check was completed for every position and or an International {Police Check and National (Australian) and International Working with Children Checks were carried out for each position? if not? why not?

Title	Checks
Deputy Secretary – Children	Confidential reference check.
Deputy Secretary – SCWR	N/A ¹
Deputy Secretary - SPP	Nil ²

¹The recruitment of this position was more than two years ago and information has been destroyed under Disposal Authority DA2157.

²This position was filled through transfer of existing offer – there were no checks associated with this position.

The recruitment process was undertaken by EVK International. EVK International perform a series of checks as part of their service. There is no power available to the Employer under the *State Service Act 2000* to determine essential requirements for the appointment of senior executives – this includes pre-employment checks.

12 Which SES position/s are directly responsible for Child Protection in DHHS for Tasmania? (including the name of the occupant, and how long they have been in the position?).

The new structure adopted by Children and Youth Services from 1 July 2015, because of the DHHS Review, has a single SES position directly responsible for Child Protection. This position is the *Director, Children and Families*. This position is currently vacant, however, and a selection process is currently underway to fill it.

In the interim, three regional managers have been directly responsible for Child Protection. These positions are the former CYS Area Directors in the previous structure. One the Director, Children and Families position has been filled, the three regional manager structure will be disbanded.

The three regional managers currently are:

- Jane Fleming – North West (since 1 July 2015)
- Bill Smith – North (since 1 July 2015)
- Stuart Oldfield – South (since 1 July 2015)

13 Will the Auditor-General be immediately called into independently investigate the current crisis with regard to DHHS Child Protection issues? if not? why not?

No. This matter is appropriately being investigated through the senior leadership of Children and Youth Services with oversight from the Acting Secretary, DHHS.