

## **Submission to the Review of the Tasmanian State Service**

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### **Focus of this submission:**

This submission probably crosses over focus areas 4, 6 and 8 (in the Scope document)

All of the examples or circumstances I describe are from my own experiences and should not be inferred as being criticisms of any colleagues or public officers. Rather they are trying to highlight where system issues contribute to inefficiencies and under performance, and stifle innovation.

By way of introduction, I have been a state service employee since mid 2013, having come from approximately 25 years mainly in the private sector. Immediately prior to my appointment as Surveyor General I was a Director and owner of a Small to Medium Consulting Surveying and Spatial Information company with 60 employees across Australia.

The aspect of the public service that I have found most challenging to adapt to is the complexity, bureaucracy and inefficiency associated with employing people, moving them around, changing their duties, and as sometime should happen, removing them.

Governments from time to time need to implement budget management strategies. Senior managers need to assess how those strategies will be implemented. Most Departmental and Divisional budgets are heavily geared to salaries, hence savings strategies are always going to affect people. An assessment of a work group might, for example, determine that the work can be performed by fewer people, or that the work program can be curtailed to meet a smaller number of employees.

However, if a legitimate process has been gone through to 'spill and fill', the unlucky person or persons become 'unattached' and must be provided with 'meaningful duties' which are not the same duties they were previously undertaking. The poor person then can be shunted around other places in the public service until a home can be found them, and not always a suitable one. What should happen is, the unfortunate person should lose their job, be paid their entitlements, and we all move on. Why should the public sector be different from the private sector in this regard? Instead of this, no actual saving is made until there is at some future time some natural attrition elsewhere in the work group.

The other aspect of the 'unattached' list, is that managers are prevented from seeking to hire good new talent if an 'unattached' employee can be placed with them, following an assessment of their suitability. This directly inhibits the injection of new skills and diversity.

Managing performance is a challenging activity in any enterprise, however I have found that, even with willing managers, there are limits to how effective public service processes are. I have been the recipient of an 'unattached' person, who turned out not to be capable (after a lot of effort to coach and train) of performing a mid range role. I changed the person into a subordinate role and appointed a competent person to oversight and direct the work. The inherited person went on stress leave and subsequently a return to work program that gradually came back to full time over six months. The

person suffered, the work group suffered, and managers suffered. Productivity only returned once the person was able to be shuffled off again to another position, still 'unattached'.

I have seen this scenario repeated a number of times over my seven years in the role. I have been told by senior HR people that "we have to accept that there are some people the agency just has to carry". I find that an unacceptable outcome of the employment provisions of the Award.

The next aspect of personnel management I want to comment on is the process for assessing people for promotion, outside the stipulated increments in the Award.

An employee can apply to have their job reviewed to assess by way of a 'Job Evaluation Questionnaire' whether they should be promoted. This scenario typically arises when a person has aspirations to progress, but the role they are employed in has a certain grade, or banding. What happens is that an employee prepares the JEQ, which is then either endorsed or rejected by their manager and the Division GM. Under either scenario it can progress to HR to process and either be endorsed or rejected.

If it is accepted, the original role is abolished, and a new role created for which the employee must apply, but may not be successful depending on applicants. This is a big risk for the employee, as if they are unsuccessful, they become 'unattached'.... Additionally, the process does not account for whether the manager has budget to cover the promotion, nor whether the design of the work group suits this. What should happen is that senior managers should have autonomy (with oversight) to design a work group for maximum productivity, which includes the range of roles and bandings that are necessary and that can be afforded. This would proceed with the involvement of the work group, and a transition plan developed to fill the roles.

I am not an expert on the Act nor the Award, however I get the impression that both have developed over time to become more and more complex, and are fundamental inhibitors to reform of the public service. It is usual that I encounter different points of view from senior HR people about aspects of employment provisions. Employment processes should be just, transparent and honest, for both employee and employer. However, many managers attempting to have the 'hard conversation' about performance are undermined by a system that makes it easy for a claim of bullying or harassment to ensue. The result is a distinct lack of appetite to manage poor performance.

I hope that the review will focus on some of the fundamentals, as without addressing these, in my view other attempts at reform will founder. I am happy to be contacted further.

Best of luck!

Regards

Michael Giudici