



# **ANNUAL REPORT**

DEPARTMENT OF THE  
LEGISLATIVE COUNCIL

**2014-15**





# Legislative Council

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16 September 2015

The Hon Bruce Atkinson MLC  
President of the Legislative Council  
Parliament House  
EAST MELBOURNE 3002

Dear Mr President

I have pleasure in forwarding to you the Clerk's report to the Legislative Council on the operations of the Department of the Legislative Council for the year ended 30 June 2015.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Young'.

Andrew Young  
**Clerk of the Legislative Council**

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# Clerk's Overview

I have pleasure in presenting my report on the operations of the Department of the Legislative Council for 2014-15.

For most of the year I was performing the role of Acting Clerk, as the tenure of the former Clerk, Wayne Tunnecliffe, did not officially conclude until the end of the financial year. The Legislative Council and the Parliament of Victoria are indebted to Wayne for his service totalling almost five decades.

The year was marked by the expiry of the 57<sup>th</sup> Parliament and the Opening of the 58<sup>th</sup> Parliament, following the general election on 29 November 2014. The Opening of the 58<sup>th</sup> Parliament on 23 December 2014 was coordinated by the Usher of the Black Rod, Dr Stephen Redenbach. I congratulate Stephen and all the departments within Parliament and external agencies for the successful conduct of this significant and complex ceremonial event.

In terms of significant achievements and challenges for the department, the concluding stages of the 57<sup>th</sup> Parliament saw the Procedure Committee report on significant changes to Standing Orders in October 2014. These changes were adopted by the House and had immediate effect for the 58<sup>th</sup> Parliament.

The department contributed to a range of Council and Parliament wide teams and projects designed to assist Members, committees and external agencies through the transition from the 57<sup>th</sup> to the 58<sup>th</sup> Parliament.

Notably the election resulted in the most politically diverse House in Australia, other than the Australian Senate. Representatives of eight parties were elected to the Legislative Council for the 58<sup>th</sup> Parliament. This diversity and the minority position of the Government party has already resulted in a dramatic increase in committee inquiry activity and a range of Sessional Orders that have resulted in procedural challenges in the House and an increase in administrative and procedural work for the Chamber Support Office. These challenges have been met with enthusiasm by the department as they have generally enhanced the role of the Legislative Council as a genuine House of review.

In the 2013-14 report the former Clerk commented on the risk of an unsustainable funding model for the Legislative Council 'if the level of committee activity in the Council increases as expected'. This concern has been realised. The funding model has been marked by two

deficiencies for some years: the reliance on ad hoc, one off applications to Treasury and Finance for additional recurrent funding to adequately resource committee inquiry activity; and the imposition of government efficiency dividends and general underfunding of the Council. These factors significantly limit the capacity to strategically plan and properly resource a department charged with supporting Members and committees of a House of review. It must be recognised that the Presiding Officers and the Leader of the Government in the Council have worked to provide some short term respite by enabling the Council to access some funds from the joint committees 2015-16 appropriation. This is a welcome outcome for the short term.

At a whole of Parliament level, significant achievements have included the creation of a communications and education unit and the recruitment of specialists for this unit. The results for Parliament's engagement with the community, enhanced committees engagement and its assistance to developing Parliaments such as Fiji, have been overwhelming and will continue to ensure Parliament's relevance and responsiveness to the community.

The achievements of improved security infrastructure and processes and the development of a disaster recovery plan for the Parliament also stand out in this reporting period. There is an important balance to be found between the security of Members and staff on the one hand and the right of people to have access to the Parliament building - 'the people's house'. This balance is realised through the work and cooperation of staff in all three departments in the many security related projects that were underway or completed in the reporting period. I am grateful for the lead role of the Department of Parliament Services in many of these projects.

I conclude by acknowledging the excellent work of the other two departments in the Parliament: the Legislative Assembly; and Parliamentary Services. The Parliament is three separate organisations, but so many of our services to Members and parliamentary committees are only realised and effective because of the working relationship between the three departments, the Speaker and the President.

**Andrew Young**  
**Acting Clerk of the Legislative Council**



# Departmental Vision

## DEPARTMENTAL GOALS

Within the context of the Parliament's Strategic Directions and the values defined therein – effective corporate governance, excellent service delivery and sustainability – the department focused on three goals in the year under review. These are:

### Service Delivery

- To provide timely and accurate procedural advice to clients and ensure that the business of the Legislative Council and parliamentary committees administered by the department is conducted in a timely manner, according to law, decisions of the Council, parliamentary practice and established committee policy.
- To promote public awareness and understanding of parliamentary democracy and of the role, functions and processes of the Legislative Council, parliamentary committees and the Parliament generally.
- To utilise modern and cost-effective technological information systems for the delivery of high level specialist support services to our clients, to implement records management best practices and to provide high quality reports and timely information services.

### Corporate Governance

- To ensure that departmental strategies, planning and directions are in accordance with the highest standards of governance and enable an effective system of ongoing improvement.

### People and Resources

- To implement fair and equitable staff management practices which develop the skills base of staff in order to achieve corporate, departmental and committee objectives.
- To ensure that departmental financial and physical resources planning and management is in accordance with the highest standards of compliance and accountability.

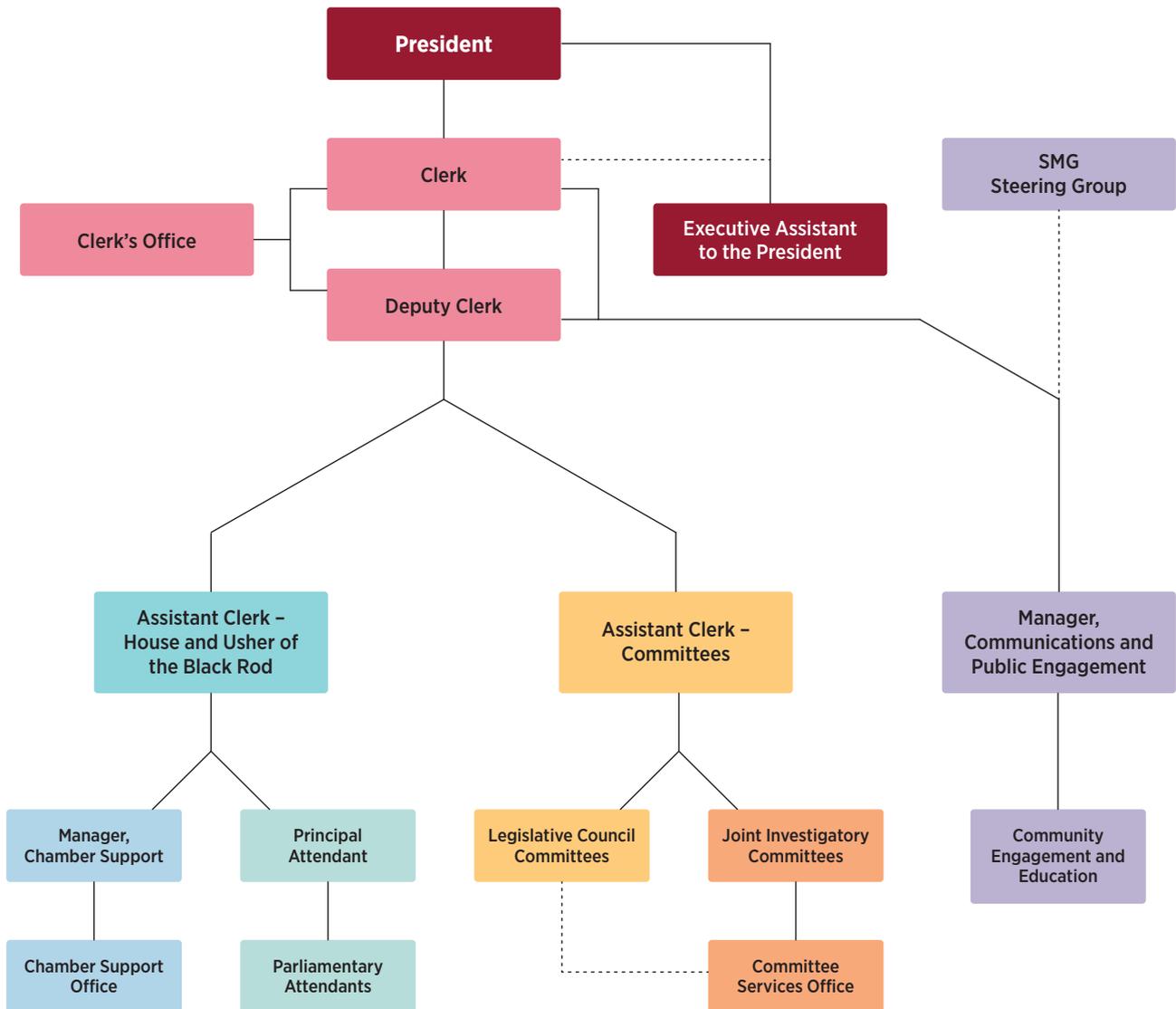
## BUSINESS OF THE DEPARTMENT

The business of the department is to:

- provide procedural advice to Members of the Legislative Council;
- process legislation;
- prepare documentation required for sittings of the Legislative Council and Parliamentary committees;
- prepare records of the proceedings of the Legislative Council;
- provide procedural and policy advice to Parliamentary committees;
- provide administrative and research assistance, and produce draft reports for Parliamentary committees;
- provide information relating to the proceedings of the Legislative Council;
- provide operational support to Members of the Legislative Council;
- promote public awareness of the role, functions and processes of the Legislative Council and the Parliament;
- co-ordinate parliamentary events, functions and special visits; and
- provide a secure, safe and healthy workplace.



# Organisation Chart 2014-15





# 58<sup>th</sup> Parliament

## Opening of the 58<sup>th</sup> Parliament

The last sitting day of the 57<sup>th</sup> Parliament of Victoria was 16 October 2014, with the expiry of both Houses occurring on 4 November 2014 as specified under s38 of the *Constitution Act 1975*. The election was held on 29 November 2014, with the ALP winning a majority in the Legislative Assembly, thus resulting in a change of Government.

The 58<sup>th</sup> Parliament was opened on Tuesday, 23 December 2014. This Opening was the closest to Christmas day that had occurred in the Victorian Parliament's history (the previous closest being 22 December 1952). This Opening saw a number of traditional aspects of the day being changed. The Government chose to reorganise the proceedings of the day and move most of the formalities and ceremony of Opening day to the morning to ensure that Question Time could occur at the usual time on a Tuesday at 2.00 pm. Thus, a Joint Welcome to Country ceremony was held at 9.30 am, the Proclamation, Swearing in of Members and election of Presiding Officers occurred from 10.00 am and the formal Opening ceremony commenced at midday. These compressed timelines, and consequent logistical constraints, resulted in fewer guests being seated at floor level in the chamber.

The rearrangement of the day, combined with holding the Opening only two days before Christmas, also resulted in some of the traditions of the day being forgone. Therefore, the Guard of Honour, military or police band and Vice-Regal salute for the Governor's arrival at Parliament House did not occur. The Air Force Band was unable to provide the usual fanfare trumpeters for the formal Opening proceedings within the building.

Nevertheless, over 600 invited guests attended the event, including former Premiers and Presiding Officers, judges, religious leaders, the Chief Commissioner of Police, Federal Parliamentarians and Aboriginal representatives. The usual video coverage of the event occurred on large screens in Queen's Hall.

The Joint Welcome to Country ceremony, which was first introduced into the Opening proceedings for the 57<sup>th</sup> Parliament, was once again performed by Aboriginal Elders, Aunty Joy Wandin-Murphy and Aunty Caroline Briggs. Following this ceremony, Members were sworn-in in their respective chambers by the Governor's Commissioners, the Chief Justice of the Supreme Court

and the President of the Court of Appeal. Once this was completed, and the Houses elected their Presiding Officers and their Deputies, they adjourned until the Governor's entry into the Council chamber.

Upon arrival at Parliament House, the Governor was met by representatives of the traditional owners of the land who performed a smoking ceremony, which included presenting plant totems and a possum skin cloak. The Governor then proceeded to the Parliamentary Library where he attended a meeting of the Executive Council to approve the speech he was to deliver and then met with the newly appointed Presiding Officers.

Just after midday the Governor presented his speech in the Legislative Council chamber to all Members and other invited guests. After he had delivered the speech, he withdrew from the chamber and the Houses again adjourned until the formal sitting at 2.00 pm.

The Government elected to cancel the traditional garden party usually held following the Governor's speech in the Parliamentary gardens for all special invitees, Members and their guests. As an alternative, the Council organised a smaller, simpler function in the Federation Room for official guests of the event.

## 2014 State Election – Composition of the Legislative Council

In terms of the representation of registered political parties, the composition of the House in the 58<sup>th</sup> Parliament is almost certainly the most diverse in the Legislative Council's history. The Council's membership of 40 consists of Members from 8 political parties: Australian Labor Party (14); Liberal Party (14); The Nationals (2); Australian Greens (5); Shooters and Fishers Party Victoria (2); Australian Sex Party (1); Democratic Labour Party (1); and Vote 1 Local Jobs (1). Three of the latter four on this list (the exception being the Democratic Labour Party) are represented in the Victorian Parliament for the first time.

In total, 13 Members were elected to the Council who were new to the Victorian Parliament. Another, two Hon Steve Herbert and Hon Mary Wooldridge, were new to the Council having previously been Legislative Assembly Members. The number of new Members grew by one a short period into the 58<sup>th</sup> Parliament when Melina Bath was chosen by The Nationals as their

candidate to replace Daniel O'Brien who resigned his seat to contest (successfully) a by-election for the Assembly seat of Gippsland South.

### **Election of new President and Deputy President – 58<sup>th</sup> Parliament**

The Opening of Parliament on 23 December 2014 saw the re-election of the President of the 57<sup>th</sup> Parliament, the Hon Bruce Atkinson, Member for Eastern Metropolitan Region. The election of President is rarely contested, but on this occasion two Members were nominated for President requiring an open ballot.

Ms Gayle Tierney, Member for Western Victoria Region, was elected unopposed as Deputy President.

### **Provide accommodation in Parliament House to new Members**

Following the election, Council Members and Ministers were relocated into offices at Parliament House. This work took a significant amount of the Attendant team resources along with assistance from the Buildings & Grounds Services and from furniture removalists. It is envisaged that the following three years will see some more upgrades to Members' offices which will be mainly funded by the department.

### **Update and complete induction and training for new Members**

The three departments, Legislative Council, Legislative Assembly and Parliamentary Services conducted an induction day for new Members on Friday 19 December 2014. This day began with an introduction from the Presiding Officers and then a number of sessions addressing compliance, motor vehicle policy, privacy information, OH&S, details about invites/tickets for Opening of Parliament, parliamentary privilege, protected disclosure, register of Members' interests, and the Code of Conduct. Members then had a session on practices and procedures in their respective House. The afternoon session consisted of a number of round table discussions about budgets and accounts, staffing and employment and electorate offices.

### **Issue 2010-14 Bound Volumes**

At the conclusion of the 57<sup>th</sup> Parliament in October 2014, work commenced on indexing of the Minutes of the Proceedings. This work has continued over the first half of 2015 with some interruption due to staffing changes.

Once complete the work of collating and compiling the Bound Volumes of the Minutes of the Proceedings and Notice Papers for the previous session of Parliament will take place and it is expected that the 57<sup>th</sup> Parliament Bound Volumes will be published in the first part of the 2015-16 reporting period.

# Service Delivery

## PROCEDURAL ADVICE

### Production of Documents

Production of documents motions decreased sharply with the wind-down of the 57<sup>th</sup> Parliament, with only one new order made and one response received (to that same order), in the form of correspondence from the responsible Minister.

As was the trend over the course of the 57<sup>th</sup> Parliament, the Government did not oppose the initial motion and their response continued the practice of confirming that they were in the process of dealing with the request and would respond at a later date.

With the changes to Standing Orders made in October 2014, production of documents orders in the 58<sup>th</sup> Parliament now operate within the framework established by chapter 11 of Standing Orders. When an order is made by the House, the Clerk is required to communicate this to the Secretary, Department of Premier and Cabinet, where previously that House simply agreed to the motion and the onus was on the relevant Minister to apprise themselves of when a new order was made. Provisions are also in place in the event that a claim of executive privilege is made, including a process to appoint an independent legal arbiter if such a claim is disputed. This framework is very similar to that in operation under Sessional Orders in the 56<sup>th</sup> Parliament, and is modelled somewhat on the NSW Legislative Council rules.

At the end of the reporting period a total of seven orders for the production of documents have been made by the Council in the 58<sup>th</sup> Parliament; one of these was the subject of a follow-up (or 'step 2') motion. The practice of providing an initial response by way of Ministerial correspondence has continued in the 58<sup>th</sup> Parliament and all seven orders received a response of this nature by the end of the reporting period. In addition, as at the end of 2014-15, requested documents were subsequently provided in response to five orders (four in full and one in part). Documents are yet to be received in response to the other two orders in relation to which the Government has claimed insufficient time to respond by the due date.

### Procedure Committee

Towards the end of the 57<sup>th</sup> Parliament the Procedure Committee considered a number of changes to the Standing Orders. The inquiry ran from August to October 2014 during which the Committee met five times and tabled a report in the final sitting week of the Parliament.

The changes to Standing Orders recommended by the Committee in its report were adopted in full by the House (with some further amendments) and came into operation at the commencement of the 58<sup>th</sup> Parliament (see 'Standing and Sessional Orders' below).

Two matters have been referred to the Procedure Committee so far in the 58<sup>th</sup> Parliament, both by resolution of the House. The first reference is to inquire into the operation of new Sessional Orders adopted early in the Parliament and, as at the end of the reporting period; the Committee has met twice and tabled an interim report in relation to this matter.

The second reference requires the Committee to look into all aspects of Parliamentary committee arrangements in Victoria, including looking specifically at reform of Public Accounts and Estimates Committee. An equivalent reference was also provided to the Assembly's Standing Orders Committee and both the Procedure Committee and Standing Orders Committee have been empowered to meet and report jointly on this inquiry, which is expected to run for a significant part of the life of the 58<sup>th</sup> Parliament.

### Procedural Review Meetings

One of the most important tools in equipping staff in the chamber support area to better understand the proceedings of the House are the weekly procedural review meetings which take place after each sitting week. In these meetings, the proceedings are reviewed by chamber officers, staff from the Table Office and the Council Committees Office. A feature of these meetings is the robust discussions that are encouraged to occur, allowing staff to be analytical and give their views on what has occurred even if these may be different from the procedure followed.

## Standing and Sessional Orders

### Standing Orders

On 15 October 2014, the Council agreed to a significant number of changes to the Standing Orders, which were recommended by the Procedure Committee, in addition to some further amendments proposed directly in the House. Many of the changes incorporated Sessional Orders that had operated over the life of the 57<sup>th</sup> Parliament, however, some changes of particular note were:

- The requirement for government responses to be tabled in reply to Council Committee reports.
- Removal of the requirement to give notice prior to introducing a bill.
- Ability to extend the sitting by declaration of a Minister (rather than by resolution).
- Removal of the government business program.
- Recognition of suggested amendments and new procedure for dealing with them.
- Proportional allocation of speaking rights based on political representation of the Chamber.
- New production of documents framework.

### Sessional Orders

A number of Sessional Orders have been adopted early in the life of the 58<sup>th</sup> Parliament, which have both impacted significantly on the operation of existing procedures (time limits for lead speakers, questions without notice and various Council committees arrangements) and introduced some new procedures to the Council (constituency questions and Ministers' statements). The adoption of the Sessional Orders was a contested process and largely reflect the Government's minority position in the Council.

Key changes and new procedures in place are:

- Only non-government questions may be asked in Question Time and the President has been given the power to direct a Minister to provide a written response to questions that are judged not to have been responsive.
- Ministers' Statements – up to five Ministers may make a statement of up to two minutes, to advise the House of new Government initiatives, projects and achievements.

- Constituency questions – a new procedure that is very similar to the Adjournment Debate – enable Members to ask oral questions, relating directly to their regions, of Ministers for written response.
- Additional lead speaking allocations no longer apply to individual parties in a formal coalition arrangement, rather, time limits are now applied to any such coalition as if it were a single party.
- Council committees have been given the power to self-reference on any matters, bills, draft bills, tabled reports or other documents that are relevant to their functions.
- Council committee membership has been amended to better reflect the new political make-up of the Chamber.

### Members' Seminars – Legislative Council

A series of seminars have been planned for Members, mainly new Members, in relation to various procedural topics including questions with and without notice, passage of legislation and amendments to bills. Three seminars were held during this reporting period with more planned in the next financial year. Some of these seminars will be run jointly with our Legislative Assembly colleagues and some we will run on our own. Members have appreciated the seminars we have run already and the department recognises the importance of providing ongoing procedural education to Members.

## COUNCIL SITTINGS AND DOCUMENTATION

### Council Business Group

The establishment of a Council business group was an initiative at the commencement of this 58<sup>th</sup> Parliament. The unprecedented political diversity of the Council led to the President and party leaders and representatives deciding to form the group, which meets every Monday immediately prior to the sitting week. Meetings are convened by the President and generally chaired by the Deputy President in order to bring the parties together to discuss the organisation of business for the sitting week. The group is administratively supported by the Clerks.

### Sittings of the House

In 2014-15, the Council met for a total of 14 sitting weeks, which is slightly lower than usual due to the state election held in November 2014. The Council sat for three days

each sitting week (Tuesday to Thursday) with the exception of the Opening of the 58<sup>th</sup> Parliament when the Council only sat one day. The Council did not utilise its ability to sit on a Friday during this reporting period.

The Council sat on 40 days in 2014-15, sitting for a total of 347 hours. The average length of each sitting day was 8 hours and 27 minutes. This average is slightly higher than 2013-14, which averaged just under 8 hours each sitting day.

Legislative Council sitting patterns for the past ten years are on page 18. A breakdown of the time spent in different items of business in 2014-15 appears in the chart on page 18. Appendix D contains selected statistics relating to the sittings of the Council for the past five years.

### Resignation and election of new Member

One Member of the Legislative Council resigned during the 2014-15 period and one new Member was appointed in a joint sitting of the two Houses in accordance with section 27A of the *Constitution Act 1975*.

Mr Daniel O'Brien (Nationals) resigned from the Council on 25 February 2015. He had represented the Eastern Victoria Region since 2014. A joint sitting held on 15 April 2015 appointed Ms Melina Bath and she was sworn-in as a Member of the Council on 16 April 2015.

### Parliamentary Publications

The department is responsible for the preparation and circulation of a number of parliamentary publications. In 2014-15 the following documents were published:

Notice Papers (daily)	40
Minutes (weekly)	11
Minutes (daily proof)	40
Committee of the Whole Council Supplement	9
Unanswered Questions On Notice	11
Adjournment Matters Awaiting Response	14

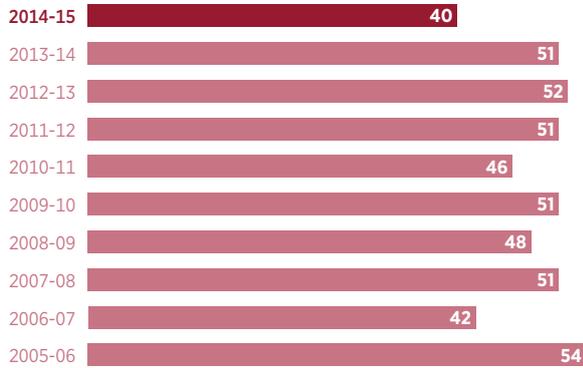
The number of questions on notice submitted by Members decreased throughout the second half of 2014 in the lead up to the state election, whilst the number of answers to questions on notice increased. Since the start of the 58<sup>th</sup> Parliament there has been an influx of questions in 2015 with just under 400 questions on notice submitted in the first sitting week of the year alone.

The Committee of the whole Council Supplement is issued alongside the weekly Minutes if the Council considered any bills in Committee of the whole for that sitting week. It details amendments considered in Committee of the whole, and records any divisions that took place.

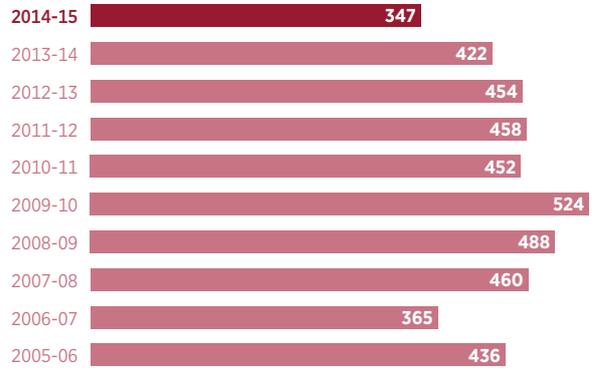
New Sessional Orders adopted early in the 58<sup>th</sup> Parliament introduced constituency questions and questions without notice directed for written response by the President. To keep track of the two new forms of business, the Chamber Support Office maintains two spreadsheets that are published on the Parliament of Victoria website to provide clients with access to timely tracking information relating to when such questions have been asked and answered.

## SITTING STATISTICS

### Sitting Days, Legislative Council, 2005-06 to 2014-15



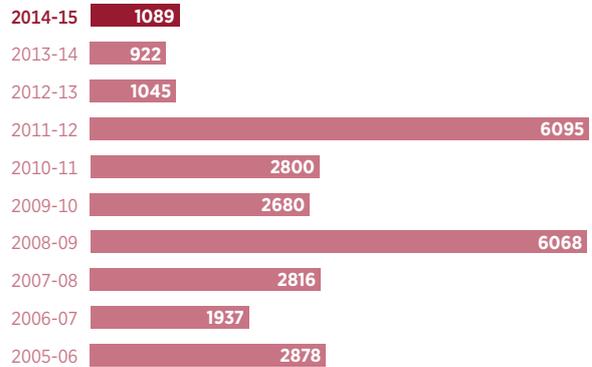
### Sitting Hours, Legislative Council, 2005-06 to 2014-15



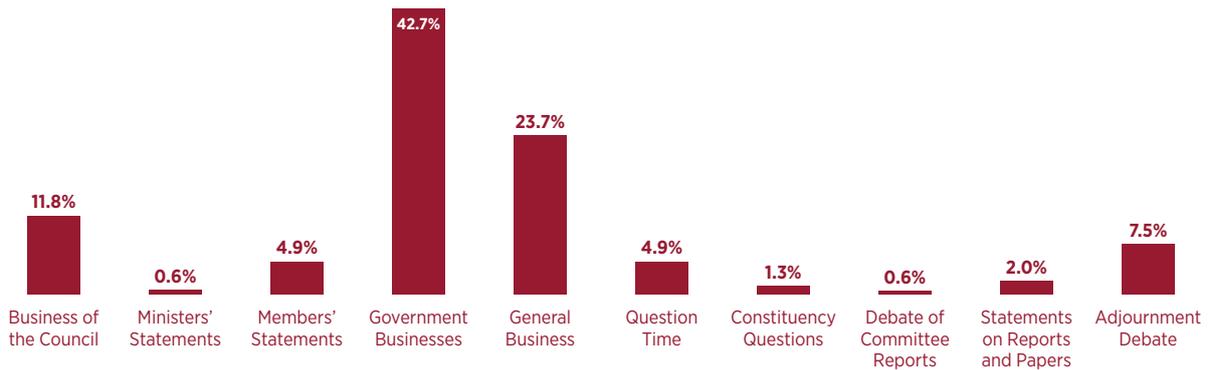
### Average Length of Daily Sittings (Hours), Legislative Council, 2005-06 to 2014-15



### Questions on Notice processed by the Department of the Legislative Council 2005-06 to 2014-15



## BREAKDOWN OF BUSINESS 2014-15



- Government business includes Government sponsored legislation and motions and ministerial statements.
- General business includes legislation and motions initiated by Members of the non-Government parties.
- Business of the Council includes time spent on presentation of petitions, giving notices, presentation of papers (excluding motions to take note of Committee Reports), privilege matters, personal explanations and condolence motions.
- Ministers' Statements have only been in operation since February 2015 by virtue of new Sessional Orders adopted in the 58<sup>th</sup> Parliament.

## PROCEDURAL RESEARCH PROJECTS

### Procedural Bulletins

Since the commencement of the 54<sup>th</sup> Parliament in 1999, the department has published biannual Procedural Bulletins, which provide an account of the most significant events, procedural issues and rulings from the Chair for each half year (previously known as the Autumn and Spring Sittings). During 2014-15, the February to June 2014 bulletin was published and distributed to Members of the Council, various staff and the clerks of each of the other Houses of the Australasian parliaments. By the end of June 2015, the August to October 2014 bulletin had been finalised and was in the process of being distributed.

### External Procedural Publications

The department contributes to a number of external procedural publications on a regular basis. The most significant of these within Australasia is *Parliament Matters* which is produced by the Australia and New Zealand Association of Clerks-at-the-Table (ANZACATT). This association produces two editions of its bulletin each year.

Members of the department contribute articles to other parliamentary publications on a semi-regular basis including *Australasian Parliamentary Review* which is the journal of the Australasian Study of Parliament Group and *The Table*, the journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments.

### Rulings from the Chair 1979–2014

The ninth edition of *Rulings from the Chair* (48<sup>th</sup> to 57<sup>th</sup> Parliaments) had been drafted and was close to completion at the end of the period under review. This substantial volume, which is updated yearly, provides a ready reference of useful procedural precedents to assist the clerks in advising the President and other Members.

## DATABASE MANAGEMENT

### Questions on Notice Database

The Questions on Notice Database provides a fully searchable database of questions and answers which allows users to search for and track the progress of questions on notice in both Houses of Parliament. The database is updated every sitting week and can be accessed via the Parliament of Victoria website.

The Department of the Legislative Council and the Department of the Legislative Assembly completed Stage One of the upgrades to the Questions on Notice Database with implementation beginning at the start of the 58<sup>th</sup> Parliament. This first stage of upgrades aims to address usability issues, with a particular focus on developing a more intuitive search function on the public interface. It was also a priority to improve the cohesiveness of the Questions on Notice database with the rest of the Parliament of Victoria network and to this end the new look database is now incorporated within the Parliament of Victoria website. Further upgrades are being planned for 2015-16.

### Tabled Documents Database

The Tabled Documents Database is a searchable database containing information on all documents, including electronic copies of all reports tabled in Parliament from 2012 onwards. The database is updated every sitting day and is available to the public through the Parliament of Victoria website.

Tabling guidelines issued jointly by the Assembly and Council include the requirement for tabling agencies to provide an electronic copy of reports for tabling for uploading to the database.

As a result of the Government's announcement in the 2015-16 Budget that it would reduce the number of hard copy reports provided to Parliament, several upgrades were required to better equip the Tabled Documents Database to cope with the expected increase in use. A project team with staff from both House departments was formed to scope for improvements to the database, identifying speed and security as the main priorities for improvement in order to better meet the demands of tabling. Development commenced in the latter part of 2014-15, with some upgrades expected to be implemented in time for the first August sitting week after the Winter break, and further improvements to follow in the remainder of 2015.

### Auto-text Database

The Auto-Text Database is used by chamber officers to produce the official Minutes of the Proceedings.

A review of all entries in the database took place in the first half of 2015, particularly to update various entries affected by the changes to Standing Orders in October 2014 and the adoption of new Sessional Orders in early 2015. Updates will be completed and deployed to users in the early part of the 2015-16 reporting period.

## House Documents Database

The House Documents Database is a hosting system designed for the Parliament to host its own house documents (Minutes, Notice Papers, Questions books etc) on the Parliament of Victoria website.

Scoping and development of this database took place jointly with staff from the Assembly over 2012-13 and 2013-14 and following the conclusion of user testing in early 2014-15 the database went live in time for the opening of the 58<sup>th</sup> Parliament in 2015.

This database has been developed in advance of an expected migration of online publication and hosting of house documents from their current location on the Legislation Victoria website, which falls under the ambit of the Department of Premier and Cabinet, to reside solely on the Parliament of Victoria website.

While house documents continue to be uploaded to and available at both the Parliament of Victoria and Legislation Victoria websites, ultimately it is expected that online publication of house documents to the Legislation Victoria website will be phased out at an agreed future date.

## PROVISION OF INFORMATION

### Legislative Council Information Sheets

The Council has 21 current information sheets containing a range of procedural and historical information about the Legislative Council, its committees and the Chamber, which are printed in-house and are also available online at the Parliament of Victoria website.

There has been background development to this series of sheets over the last couple of years to bring consistency to the level of content contained in each one as well as the overall look and feel, with a focus on rewriting the content to target a school-aged audience and better optimise the content of online version of these publications.

Intermittent progress on this project took place over 2014-15, which will continue in the new reporting year.

### Register of Members' Interests

Under the *Members of Parliament (Register of Interests) Act 1978*, Members are required to provide details of their interests. This information is required from new Members upon their election to Parliament within 30 days of upon taking and subscribing the oath or affirmation

(i.e. Primary Return) and from all existing Members by 29 August each year (i.e. Ordinary Return). Members may also lodge variations to their interests at any time during the year. This information is contained in a register which is maintained by the Clerk of the Parliaments, currently the Clerk of the Legislative Assembly. However, by arrangement between the Houses, the Department of the Legislative Council continues to maintain the Register of Members' Interests on behalf of the Clerk of the Parliaments.

During 2014-15, the following reports were prepared and tabled:

- Summary of Primary Return July 2014 and Summary of Variations Notified between 6 May and 19 June 2014.
- Summary of Returns — June 2014 and Summary of a Variation Notified between 20 June 2014 and 12 September 2014.
- Cumulative Summary of Returns, 30 September 2014.
- Summary of Primary Returns 2015 and Summary of Variations Notified between 17 September 2014 and 6 February 2015.
- Summary of Primary Return May 2015 and Summary of Variations Notified between 18 February 2015 and 22 May 2015.

Ordinary Return forms will be sent to all Members of Parliament on 1 July 2015 and a summary of those returns, together with a Cumulative Summary as at 30 September 2015, will be tabled in October 2015.

### House Readers

House readers are used by the President, Deputy President, Ministers and Members to guide them through complicated procedural processes in the Legislative Council.

The first stage of the updates has been released with new bill readers in use from the start of 2015. The new bill readers reflect, amongst other things, the new practices of how bills are introduced, dealing with identical bills and suggested amendments as well as other minor changes to bill process flowing from the Standing Orders changes in 2014.

## Private Members' bills – Premier's letter to Presiding Officers 26 May 2015

The Premier wrote to the President on 26 May 2015 advising that non-government party Members of the Council would no longer have to seek the Premier's permission for assistance from the Office of Chief Parliamentary Counsel (OCPC) to draft private Members' bills. Requests would instead be made through the Clerk of the Legislative Council. The Premier's decision is welcome because it is consistent with the principle that a private Member should be able to bring a properly drafted bill before the House independent of any Executive decision.

The change of process and the political diversity of the Council has had an immediate effect of many private Members seeking assistance to draft bills. In turn, this has led to a decision that the clerks and procedural staff of the Council will take a more active role in assisting Members to develop drafting instructions for OCPC. The department has always had an important working relationship with OCPC in relation to amendments to bills, but this working relationship is now more important. Work has already commenced in the reporting period to establish processes between the Council and OCPC in relation to private Members' bills, including training of staff.

## COMMUNITY ENGAGEMENT AND EDUCATION

### YMCA Youth Parliament

The 28<sup>th</sup> YMCA Youth Parliament was staged at Parliament House on 30 June and 1 and 3 July 2014. The "Opening Ceremony" was held in the Council chamber, and was officially declared open by the "Youth Governor" who, along with participants, was joined at the ceremony by Members of Parliament, YMCA organisers and other guests.

Over the three days, Members assisted as Acting Presidents or Speakers during debates in the respective chambers. These debates were conducted as consistently as practicable with parliamentary procedure and proceedings and were recorded by Hansard for a day in both the Council and Assembly. At the conclusion of the sittings, the "bills" were presented to the Deputy Leader of the Government in the Council, the Hon. Wendy Lovell, at the closing ceremony in the Assembly.

The planning and conduct of the event was supported by the Assistant Clerk – House and Usher of the Black Rod and the Senior Chamber Support Officer (Procedure and Administration) with many other staff assisting during debates.

By the end of the period under review, planning and preparations for the 29<sup>th</sup> YMCA Youth Parliament were not only well advanced, but the opening two days of the event had already been held on 29 and 30 June 2015. Given that the event stretched over two reporting years, further details regarding the most recent Youth Parliament will be provided in next year's Annual Report.

### Open Day

Another successful Open Day was held this year on Sunday, 22 March 2015. On this occasion, it was the Legislative Assembly's turn to take the lead with administrative arrangements for the day. Nevertheless, all three Parliamentary departments hosted information displays and provided staff who were on hand to answer any questions from visitors.

The Public Record Office Victoria, Victorian Ombudsman, the Victorian Auditor-General's Office and the Independent Broad-based Anti-corruption Commission also had displays

The Royal Australian Navy Jazz Band entertained visitors on their arrival to Parliament. As visitors entered Parliament House, they received an Open Day tour map providing details of the route to be taken and the various displays. Entertainment was also provided in the parliamentary gardens.

The day attracted approximately 4000 visitors.

### Australasian Study of Parliament Group

The department's commitment to parliamentary related education is reflected in its ongoing support via corporate membership and executive participation in the Australasian Study of Parliament Group (ASPG). The Victorian Chapter of the ASPG holds seminars at Parliament House featuring guest presenters several times each year.

The Victorian Chapter conducted two seminars during the reporting year:

- *A Time for Reflection: The 2003 Constitutional Reforms – Two Parliaments On*, presented by three Members of the Legislative Council, Hon. David Davis, Mr John Lenders, and Mr Greg Barber.

- *The Power of Preferences: Reflecting on the November 2014 Victorian Election*, presented by Mr Antony Green, Election Analyst, Australian Broadcasting Corporation.

### Presentations for Internal and External Groups

The department is committed to promoting a greater understanding of the Parliament's history, structure, role and responsibilities. To this end, it actively supports events such as full day information seminars for public servants, Open Days and the annual YMCA Youth Parliament, by assisting with their organisation and the provision of staff and administrative resources.

The Clerks and Assistant Clerks also gave various presentations during the course of 2014-15 at several staff orientations, for programs organised by ANZACATT and to the Parliamentary Interns program. In addition, the Assistant Clerk – House and Usher of the Black Rod and the Assistant Clerk – Committees gave a presentation to parliamentary officers and staff from the Office of the Chief Parliamentary Counsel (OCPC) in April 2015 titled 'The Legislative Council: Who we are and what we do'. This was followed by a similar presentation by several senior OCPC staff, including the Chief Parliamentary Counsel.

Another way in which the department contributed to public awareness of the Parliament was via the Attendant group who regularly guided public tours conducted at the building. In addition, Council Attendants assisted with the provision of information when Parliament was part of Open House Melbourne, July 2014 and when Parliament held its Open Day in March 2015.

### Seminar for Public Service Officers

Following the inaugural Parliament seminar for public service officers in May 2014, a second seminar was conducted on 20 May 2015. The day-long seminar is coordinated by the Council, but brings together officers from both Houses and the Office of Chief Parliamentary Counsel who present on the constitutional, legislative and scrutiny aspects of the Parliament. Mr Peter Walsh, MP and former Members, Ms Andrea Coote and Mr John Lenders formed a panel of Members as part of the seminar program. There were 50 public servants from various departments and authorities attend the seminar which has the dual aims of assisting the professional development of public service officers and improving the working relationships between the Parliament and the public service. Due to a significant waiting list another seminar is planned for later in the 2015 calendar year.

## PARLIAMENTARY COMMITTEES

### Parliamentary Joint Investigatory Committee System

The joint investigatory committees are established under the *Parliamentary Committees Act 2003* and their functions and powers are governed by both the Act and the Standing Orders of both Houses. A joint investigatory committee must inquire into and report to the Parliament on any relevant matter referred to it by either House or by Order of the Governor in Council published in the Government Gazette. Such committees may also inquire into any annual report or other document relevant to the functions of the committee that is laid before either House.

In the first half of the reporting year, joint investigatory committees concluded various Inquiries prior to the dissolution of the 57<sup>th</sup> Parliament.

Major changes to the Parliament's joint investigatory committee system took place in the first half of 2015. In April 2015, the Parliamentary Committees and Inquiries Acts Amendment Bill 2015 passed through both Houses and as a consequence six previous committees were amalgamated into three, thereby reducing the total number of joint committees from 12 to 9. The Legislative Council is now responsible for administering four joint investigatory committees, namely:

- Accountability and Oversight Committee (AOC).
- Economic, Education, Jobs and Skills Committee (EEJSC).
- Environment, Natural Resources and Regional Development Committee (ENRRDC).
- Independent Broad-based Anti-corruption Commission Committee (IBACC).

All four Committees now have a non-Government majority while AOC and IBACC are also chaired by an Opposition Member.

As a result of the reduction and amalgamation of committees, staff were reassigned to all nine committees by using reassignment guidelines developed in recent years to both encourage movement of staff between committees and provide a transparent process.

Below is a summary of joint investigatory committees administered by the department for the end of the 57<sup>th</sup> Parliament and start of the 58<sup>th</sup> Parliament.

## Accountability and Oversight Committee

On 4 September 2014, the Accountability and Oversight Committee tabled a report into Victorian oversight agencies. The report examined the 2012-13 annual reports of the Ombudsman, Freedom of Information (FOI) Commissioner and Victorian Inspectorate, including assessing trends over the year in review and identifying changes in volumes of complaints and appeals.

The Committee was re-established in the 58<sup>th</sup> Parliament and is examining the 2013-14 annual reports of the three integrity agencies.

## Economic Development, Infrastructure and Outer Suburban/Interface Services Committee

### *Inquiry into Marine Rescue Services in Victoria*

The Committee worked on one inquiry during the reporting period, the *Inquiry into Marine Rescue Services in Victoria*. The terms of reference required the Committee to consider possible improvements to marine rescue services in Victoria. The Committee tabled its final report, containing 32 recommendations, in September 2014.

The Committee was merged with the Education and Training Committee in April 2015, to become the Economic, Education, Jobs and Skills Committee.

## Economic, Education, Jobs and Skills Committee

### *Inquiry into Portability of Long Service Leave Entitlements*

The Committee was established in April 2015 following legislative changes to the *Parliamentary Committees Act 2003*. On 5 May 2015, the Legislative Assembly referred an *Inquiry into Portability of Long Service Leave Entitlements* to the Committee. The terms of reference require the Committee to consider employer schemes that provide portability of long service leave entitlements for Victorian workers as they move between jobs in the same or similar industry.

The Committee called for submissions to the inquiry in June 2015 and will table its final report in Parliament in May 2016.

## Education and Training Committee

### *Inquiry into the Approaches to Homework in Victorian Schools*

The Committee worked on one inquiry during the reporting period, the *Inquiry into the Approaches to Homework in Victorian Schools*. The Committee tabled its report on 20 August 2014. The Committee's report considers a range of issues including the homework debate and international comparisons, the homework policy landscape in Victoria, some of the factors that might impact on the effectiveness of homework and some of the disadvantages that may arise from homework and what is being done to mitigate these disadvantages.

The Committee was merged with the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee in April 2015, to become the Economic, Education, Jobs and Skills Committee.

## Environment and Natural Resources Committee

### *Inquiry into Heritage Tourism and Ecotourism in Victoria*

The Committee tabled its final report into Heritage Tourism and Ecotourism in Victoria on 3 September 2014. The report highlighted the potential significant contribution ecotourism and heritage tourism can make to the Victorian economy but noted a number of infrastructure shortfalls and work skills and training issues that need to be addressed.

In December 2014, the Environment and Natural Resources Committee was re-established and received a reference into the CFA Training College at Fiskville. The Committee was merged with the Rural and Regional Development Committee in April 2015 to become the Environment, Natural Resources and Regional Development Committee. Details of the Fiskville Inquiry are provided below.

## **Environment, Natural Resources and Regional Development Committee**

### ***Inquiry into CFA Training College at Fiskville***

The Environment, Natural Resources and Regional Development Committee was established in April 2015 following the merger of two former committees. The new Committee continued with the Inquiry into the CFA Training College at Fiskville. The Inquiry is examining a range of issues including an historical study of pollution, contamination and unsafe activities at Fiskville, a study of the health impacts on employees, residents and visitors to the site, as well as the role of past and present executive management at Fiskville.

The Committee conducted five days of extensive public hearings from May until 30 June 2015 and has received over 450 written submissions. An Interim Report was tabled in Parliament on 24 June 2015 with a final report due to be tabled on 1 December 2015.

### ***Inquiry into the Sustainability and Operational Changes of Victoria's Rural and Regional Councils***

On 6 May 2015, the Legislative Council referred an Inquiry to the Committee to examine the sustainability and operational challenges of Victoria's rural and regional councils. The Committee's report is due by 31 March 2016. As a result of its workload on the Fiskville Inquiry, the Committee had yet to commence work on this Inquiry during the reporting period.

## **Independent Broad-based Anti-corruption Commission Committee**

The Independent Broad-based Anti-corruption Commission Committee was established to monitor and review the performance of the duties and functions of the IBAC. The Committee was inactive in 2014 and was re-established in April 2015. The Committee is developing a work plan which will be reported on in the department's next annual report.

## **Law Reform, Drugs and Crime Prevention Committee**

### ***Inquiry into the supply and use of methamphetamines, particularly ice in Victoria***

The Committee worked on one inquiry during the reporting period, the *Inquiry into the supply and use of methamphetamines, particularly ice in Victoria*. The Committee tabled its final report on 3 September 2014. The Committee's wide-ranging and extensive report

included 54 recommendations aimed at minimising the harms associated with the drug, and the impact it is having on individuals, families and communities in Victoria.

The Committee was merged with the Road Safety Committee in April 2015 to become the Law Reform, Road and Community Safety Committee and is now administered by the Legislative Assembly.

## **Road Safety Committee**

The former Road Safety Committee had no inquiries in the second half of 2014. The Committee merged with the Law Reform, Drugs and Crime Prevention Committee in April 2015 to become the Law Reform, Road and Community Safety Committee and is now administered by the Legislative Assembly.

## **Committee Services Office**

As in past years, the joint investigatory committees received a range of administrative and project support services from the Committee Services Office which administers and finances whole of committee activities, physical and information resources and accommodation.

## **COUNCIL STANDING COMMITTEES**

The change to the composition of the Legislative Council after the November 2014 Election (non-Government majority and eight parties represented) has seen a dramatic increase in the workload of the Council standing committees. The increased workload has led to a number of resourcing challenges for the department.

Various sessional orders have also been adopted with respect to the establishment and operation of the standing committees. The three standing committees comprise 8 Members (3 Government, 3 Opposition, 1 Green and 1 minor party) and each committee is chaired by an Opposition Member. The previous split of legislation and references committees has now been combined into the functions of each single committee. Below is a summary of the activities of each standing committee during 2014-15. Each committee has multiple inquiries and are receiving 1000s of written submissions, with full details to be reported in the 2015-16 annual report.

## **Standing Committee on Economy and Infrastructure**

The Economy and Infrastructure Committee had no work from 1 July 2014 until the re-establishment of committees in May 2015. Since May, the Committee is conducting the following Inquiries:

- Inquiry into the State Taxation Amendment Bill 2015 – report tabled 23 June 2015.
- Inquiry into the Legislative and Regulatory Framework Relating to Restricted Breed Dogs – report due 31 March 2015.
- Inquiry into Infrastructure Projects – reports due every six months.

## **Standing Committee on Environment and Planning**

The Environment and Planning Committee had no work from 1 July 2014 until the re-establishment of committees in May 2015. Since May, the Committee is conducting the following Inquiries:

- Planning and Environment Amendment (Recognising Objectors) Bill 2015 – report to be tabled on 4 August 2015.
- Inquiry into Unconventional Gas in Victoria - interim report due 1 September 2015 and a final report due 1 December 2015.
- Inquiry into Rate Capping Policy – reports due every six months.

## **Standing Committee on Legal and Social Issues**

Prior to the November 2014 State Election, the Legal and Social Issues Legislation Committee tabled a report on 14 October 2014 on the Inquiry into Community Pharmacy in Victoria. This reference was received from the Legislative Council in May 2014 to examine the role and opportunities for community pharmacy in primary and preventative care in Victoria. The Committee received 29 submissions from stakeholders and received evidence from seven witnesses in July 2014.

The Legal and Social Issues Committee was re-established in May 2014 and is conducting the following Inquiries:

- Inquiry into End of Life Choices – report due 31 May 2016.

- Inquiry into Machinery of Government Changes - interim report due 30 November 2015 and a final report due 1 May 2016.
- Inquiry into the Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015 – report to be tabled on 4 August 2015.



# Corporate Governance

## HOSPITALITY AND VISITORS

### Official Visitors and Delegations

A number of distinguished visitors and delegations visit the Parliament each year and special arrangements are customarily made for their reception. During 2014-15, the department assisted in arrangements for the reception for the following visitors and delegations:

**28 July 2014** – The Presiding Officers hosted an official luncheon in honour of Mr Shi Heping, Vice Governor of Jiangsu. The Vice Governor's visit was to mark the 35<sup>th</sup> anniversary of the sister-state relationship between Victoria and Jiangsu.

**6 August 2014** – Official Call by the Ambassador of Kazakhstan, His Excellency Mr Yerlan Baudarbek-Kohatayev, and the Honorary Consul, Mr Andrew Fernyhough. The Presiding Officers hosted a luncheon in His Excellency's honour which was attended by both Clerks. Arrangements for this visit were made through the Speaker's Office.

**13 August 2014** – First Official Call by the Ambassador for the Kingdom of Thailand, His Excellency Mr Maris Sangiampongsa, and accompanied by the Consul-General for the Kingdom of Thailand, Mr Simon Wallace. The Presiding Officers held a luncheon in His Excellency's honour which was also attended by the Clerks. Arrangements were made through the Speaker's Office.

**19 August 2014** – The Presiding Officers held a luncheon in honour of the visit by Lord Fusitu'a, Lord's Member of the Parliament of Niua, Tonga, with the Clerks also in attendance. Arrangements for this visit were made through the Speaker's Office.

**22 August 2014** – Visit by Sir Alan Haselhurst, Commonwealth Parliamentary Association Chairperson. The Presiding Officers hosted a lunch in his honour which was attended by both Clerks. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

**1-11 September 2014** – Commonwealth Parliamentary Association Trust Fund Attachment Program by Mr Levi Telii, Clerk of the Parliament of Tuvalu. Mr Telii met with both staff and Members of the parliament and received various briefings. The Presiding Officers hosted a

welcome lunch in his honour which was attended by the Clerks. The attachment was arranged through the Clerk of the Legislative Assembly's Office.

**22 September 2014** – First Official Call by Mr Juan Carlo Gafo, Consul-General for Spain on the Presiding Officers. In attendance was the Acting Clerk of the Legislative Council.

**22 September 2014** – The Presiding Officers hosted a luncheon in honour of a delegation from the Republic of Turkey, led by His Excellency Mr Cemil Cicek, Speaker of the Grand National Assembly of the Republic of Turkey. Both Clerks attended this lunch. Arrangements for this were made through the Clerk of the Legislative Assembly's Office.

**23 September 2014** – A parliamentary delegation from Samoa met with the Clerks and Mr Andres Lomp, Manager of Community and Public Engagement, to be briefed on parliamentary privilege and Parliament and the media. Arrangements for this were made through the Clerk of the Legislative Assembly's Office.

**30 September 2014** – Official visit by Rt Hon John Bercow MP, Speaker of the House of Commons, and accompanied by Mr Peter Barratt, Senior Advisor to the Speaker, and Mr Garth Hoar, Consul General to Victoria. The Presiding Officers met with Rt Hon Bercow over morning tea which was attended by both Clerks. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

**31 October 2014** – Official visit by Professor Dr Norbert Lammert, President of the German Bundestag. The Presiding Officers met with Prof Lammert over morning tea which was attended by both Clerks. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

**31 October 2014** – Final Call by Mr Diego Velasco, Consul General for Chile (Dean of the Consular Corps), with the Presiding Officers and the Acting Clerk of the Legislative Council in attendance.

**20 November 2014** – The Presiding Officers hosted a lunch in honour of a visit by an ASEAN delegation which was attended by both Clerks. The delegation also received a tour of the chambers. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

**13 January 2015** – Visit by a parliamentary delegation from the Telengana Legislative Assembly, Hyberabad, India, led by the Speaker of the Legislative Assembly of Telengana State. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

**28 January 2015** – First Official Call on the Parliament of Victoria by the Ambassador of the Republic of Turkey, His Excellency Mr Reha Kestintepe.

**11 February 2015** – His Holiness Baba Hardev Singh Ji, Indian spiritual guru and the current leader of Sant Nirankari Mission was accompanied by the Consul General of India and held discussions with the Presiding Officers.

**17 February 2015** – Final Official Call on the Parliament of Victoria by Consul General of Korea, Mr JUNG Sung-sub.

**19 February 2015** – The Presiding Officers hosted an official luncheon in honour of a delegation from the Republic of Trinidad and Tobago, led by the Honourable Wade Mark MP, Speaker of the House of Representatives. Both Clerks were in attendance.

**4-5 March 2015** – Official visit by a delegation from the Fiji Parliament led by the Hon Dr Jiko F Luveni MP, Speaker of the Parliament. The Presiding Officers hosted a welcome lunch and farewell dinner in their honour. The delegation met with both staff and Members of the parliament, received a guided tour of the building, and visited Laburnum Primary School in Blackburn. Arrangements for this visit were made through the Clerk of the Legislative Assembly's Office.

This visit by Members of the Fiji Parliament included the signing of a Parliamentary Partnership Agreement. This twinning agreement provides for exchanges of information, training activities and exchanges of visits between the two parliaments to help with the professional development of parliamentarians and parliamentary staff. It was also a valuable opportunity for some detailed discussions on parliamentary committee processes, with Fiji parliamentary committees recently commencing their work after the re-establishment of the parliament in October 2014.

**17 March 2015** – The Presiding Officers hosted an official luncheon in honour of the Ambassador of the Republic of Latvia, His Excellency Mr Andris Teikmanis.

**31 March 2015** – The Presiding Officers hosted an official luncheon in honour of a delegation of Czech Republic Senators from the Standing Committee for Compatriots. The delegation was accompanied by Honorary Consul

General of the Czech Republic, Mr Milan Kantor, and the Ambassador of the Czech Republic to Australia, Martin Pohl.

**13 April 2015** – First Official Call on the Parliament of Victoria by the Consul-General of The United States of America, Ms Frankie Reed, with the Acting Clerk in attendance.

**13 April 2015** – The Presiding Officers hosted an official luncheon in honour of a delegation from Shandong, led by Mr Song Yuanfang, Vice Chairman Standing Committee of Shandong People's Congress.

**13 April 2015** – First Official Call on the Parliament of Victoria by the Consul-General of The Republic of Korea, Mr Jo Hongju.

**26 May 2015** – The Presiding Officers hosted an official luncheon in honour of a delegation from India led by Mr Shri Rajiv Pratap Rudy, Minister of State (Independent Charge) of the Ministry of Skill Development and Entrepreneurship; and Minister of State in the Ministry of Parliamentary Affairs. The delegation was accompanied by the Consul General and Deputy Consul General of India.

**23 June 2015** – The Presiding Officers hosted an official luncheon in honour of a delegation from Jiangxi Province led by Mr Qiang Wei, the Communist Party Secretary of Jiangxi Province, China, and Chairman of the Standing Committee of Jiangxi Provincial People's Congress.

### Sister State Delegations

As mentioned previously, last year marked the 35<sup>th</sup> anniversary of the sister-state relationship between Victoria and Jiangsu. Mr Shi Heping, Vice Governor of Jiangsu, visited the Parliament to celebrate the occasion with the Presiding Officers hosting an official luncheon in his honour.

### Australian Political Exchange Council Delegation

During 2014-15, the Parliament hosted a delegation from the American Council of Young Political Leaders from the United States of America on 18 December 2014. During the visit the delegation were briefed from the Acting Clerk on the three levels of government in Australia, were given a tour of the building, attended Question time in both Houses and attended a lunch hosted in their honour by the Presiding Officers. This was the 31<sup>st</sup> delegation to Australia from the USA under the auspices of Australian Political Exchange Council.

## DEPARTMENTAL MANAGEMENT AND PLANNING

### *Protected Disclosure Act 2012*

The purpose of the *Protected Disclosure Act 2012* is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies and establish a system for matters to be investigated. The Act provides protection from detrimental action to any person affected by a protected disclosure whether it is a person who makes a disclosure, witness, or a person who is subject of an investigation.

Section 19 of the Act enables disclosures relating to Members of Parliament and Ministers of the Crown to be protected disclosures. Disclosures about Members of the Victorian Parliament must be made to the relevant Presiding Officer, Clerk or Deputy Clerk. In accordance with the Act, it is then the role of the relevant Presiding Officer to determine whether to refer the disclosure to the Independent Broad-based Anti-corruption Commission for assessment.

Under section 65 of the Act, the Presiding Officers will issue *Procedures for making a disclosure about a Member of Parliament*, which will outline the process that will be followed when assessing disclosures under the Act. These procedures will be based on the procedures previously issued under *Whistleblowers Protection Act 2001*.

A significant change under the *Protected Disclosure Act 2012* is that protected disclosures can now also be made about ministerial officers, parliamentary officers, parliamentary advisers and electorate officers. These disclosures can be made directly to the Independent Broad-based Anti-corruption Commission.

The Parliament of Victoria has procedures in place for handling disclosures made under the Act. Those procedures include a system for reporting disclosures of improper conduct or detrimental action by Victorian Members of Parliament. The system enables such disclosures to be made to the President of the Legislative Council, if the disclosure relates to a Member of the Legislative Council, or the Speaker of the Legislative Assembly, if the disclosure relates to a Member of the Legislative Assembly.

The coverage of the Act specifically excludes certain persons, including parliamentary officers. This means that disclosures about parliamentary officers cannot be made under the Act. Parliamentary officers are, however, entitled to make disclosures under the Act, as are all members of the public.

Section 8 of the procedures state that the Presiding Officers will ensure a secure register is established to keep account of the status of whistleblower disclosures and that this information will be published in the relevant annual report of the Department of the Legislative Council and the Department of the Legislative Assembly. See Appendix M.

### **Presiding Officer's Travel**

During 2014-15 the President travelled overseas on one occasion to France and Malta.

The President's travel and accommodation costs amounted to \$3,966.99.

From 17 April to 4 May 2015, the President led a delegation to France and Malta comprising of himself and another Member of the Legislative Council. The official visit included the ANZAC Centenary memorial service at Villers Bretonneux where the President laid a wreath on behalf of the Victorian Government and people.

The official programme for Malta was organised by the Maltese Consul-General in Melbourne, Mr Victor Grech with assistance from Australia's High Commissioner to Malta, Ms Jane Lambert. The programme included a visit to Malta's Parliament and a meeting with the Speaker, Anglu Farrugia, parliamentary whips, and Malta's Minister for the Family and Social Solidarity, Michael Farrugia.

During the meeting, Maltese parliamentarians highlighted several issues of current interest in Malta's relationship with Australia. They discussed migration; the use of technology and the media to enhance links between our two countries; collaboration in sport; and the impact of a recent Australian law on Australian pensioners residing in Malta who return to their country of origin for an extended period.

### **Parliament's Governance Structure**

The Parliament's current governance structure has existed since 2003 when the Department of Parliamentary Services was established, combining the Parliamentary Library and Hansard into the existing joint services functions. These changes were then given statutory recognition in the *Parliamentary Administration Act 2005*. To co-ordinate the activities of the Department of Parliamentary Services with the two house departments the current governance bodies (Parliamentary Executive Group, Parliamentary Senior Management Group and Parliamentary Management Group) were established.

The Executive and the Presiding Officers conducted their strategic planning 2015-18 during the reporting period and have agreed to undertake a review of the governance structure.

### Members' Client Survey

The annual Members' Client Survey was opened to Members in early May 2015 and closed on 22 June 2015. The survey seeks Members' views on the quality of service provided by the House departments, Department of Parliamentary Services and the Joint Investigatory Committees.

In relation to the Legislative Council, 40% of Council Members responded to the survey compared to 25% in 2013-14.

### Parliamentary Salaries and Superannuation (Allowances) Regulations 2013

The Presiding Officers wrote to the Premier Daniel Andrews, on 25 March 2015 seeking his assistance to amend the Parliamentary Salaries and Superannuation (Allowances) Regulations 2013. The main change that the Legislative Council is requiring is in relation to the definition of Committees.

The current Regulations include a joint house committee established under the *Parliamentary Committees Act 2003*, but make no provision for a select or standing committee of either House unless as joint select committee by resolution of both Houses. The Legislative Council has three standing committees, and at the time of reporting, was expecting a select committee, that meet, travel and generally undertake inquiries in a similar manner to joint investigatory committees. The current definition of 'committee' in the regulations excludes these Members from eligibility for regulations 8 and 9 allowances. Amendment of the definition of committees would clarify eligibility for these committees.

### Disaster Recovery Plan

In July 2014, the Parliamentary Executive Group approved the formation of a working group to develop a Parliament House Disaster Recovery Plan. It was felt this plan was required, within the organisation's broad risk management strategy, to deal with any disaster or significant incident that might prevent Parliament House being used for sittings and parliamentary work in non-sitting periods. Such planning would place the Parliament in a stronger position to relocate at short notice and to recommence relatively normal operations

at the earliest opportunity. This Plan was also considered to provide important documentation to strengthen the organisation's business continuity procedures.

The Working Group consists of managers from throughout the three departments who are predominantly at Parliamentary Management Group level. In the case of the Legislative Council, the representatives are the Assistant Clerk – House & Usher of the Black Rod, Assistant Clerk – Committees and the Manager, Chamber Support Office. A Project Management Team – Parliament's Senior Management Group – is overseeing the work being done. An external facilitator/consultant from KPMG was engaged in the latter part of 2014 to guide the Working Group with the documentation of procedures and to assist with preparation of the Plan.

The Working Group's first meeting was held on 3 March 2015 and subsequent meetings have been held at both group and sub-group level. By the conclusion of the period under review, considerable progress had been made in developing the Plan and it was anticipated that a consolidated draft would be submitted to SMG in the first quarter of 2015-16.

### Strategic Plan: 2015-2018

On 23 March 2015, Parliament held their strategic planning day with the Presiding Officers, the Parliamentary Executive Group and the Parliamentary Senior Management Group. John Viljoen led the day and this gave an opportunity for the Presiding Officers to talk about their priorities for the next three years.

The group agreed that the strategic directions would focus on eight overarching themes which included service delivery, community engagement, funding of parliament and our people. For each of these themes, priorities and actions were agreed to, this became part of the Parliament's workplan from 2015-2018. Each department will then develop their own business plans from this document and this will enable to the staff to see a link between their day to day work and the overall direction of the Parliament of Victoria.

## SENIOR STAFF CHANGES

### Retirement of Clerk – Wayne Tunnecliffe

As mentioned in last year's Annual Report, Wayne Tunnecliffe advised that he would retire on 25 July 2014 and go on leave from this day. His leave will conclude on 2 July 2015.

### **Appointment of new Clerk**

On 1 July 2014 Andrew Young was confirmed by the Governor in Council as the Acting Clerk of the Legislative Council. From 2 July 2015 in the next reporting period, Andrew will become Clerk of the Legislative Council.

### **Appointment of new Deputy Clerk**

On 11 June 2014, the Deputy Clerk, Matthew Tricarico, advised the Clerk of his intention to retire effective from 23 November 2015, following the exhausting of all long service and annual leave entitlements.

On 11 August 2014, Anne Sargent was appointed to the position of Deputy Clerk. Before her appointment, Anne served as Assistant Clerk - Procedure & Serjeant-at-Arms and Assistant Clerk Committees in the Legislative Assembly.

### **Appointment of new Assistant Clerk**

On 8 September 2014, Richard Willis was appointed Assistant Clerk Committees after serving many years as Senior Secretary Council Committees.



# People and Resources

## HUMAN RESOURCES MANAGEMENT

### Occupational Health and Safety Committee

The Legislative Council continued to have a management representative (the Assistant Clerk – House and Usher of the Black Rod) and a staff representative (Chris Welstead from the Attendant Group) on the Occupational Health and Safety Committee. In addition, the Usher of the Black Rod remained Chair of the Committee throughout the reporting period and the Manager, Chamber Support Office, was the Committee's First Aid representative until the end of 2014.

The Committee worked actively both at the practical level of resolving occupational health and safety matters brought before it by departmental representatives, at the policy development level and as a conduit for the dissemination of related information to other staff. Nine formal Committee meetings were held during 2014-15.

### Fatigue Management

As previously reported, the extended sitting hours of each House of Parliament has been identified by the Parliamentary departments as a contributing risk to the occupational, health and safety of staff. The Parliament's risk management process has identified fatigue management as a strategic risk.

The Senior Management Group, assisted by the Organisation Development Unit staff, identified risks with the various business units and developed safe work plans for those units where appropriate. Those plans identified hazard and general risk indicator factors and control measures to deal with those factors.

The Fatigue Management Policy assists the department to address a number of fatigue issues including hourly roster changes in the House for Chamber and other staff, a Table Office roster to ensure that staff do not work two late nights in succession as well as other measures when sittings have been extended beyond 10.00 pm.

## SECURITY

### Security Management Board

The Parliament's Security Management Board was established during the reporting period in response to increasing awareness of issues of security of Members, staff and the public in the Parliament building and other parliamentary locations. The Board meets quarterly and includes the Presiding Officers, Department Heads, Assistant Clerk - Procedure & Serjeant-at-Arms, Assistant Clerk - House and Usher of the Black Rod, Victoria Police representatives and the Manager of the Security & Electorate Properties Unit (SEPU). Some meetings have been attended by Members representing their parties on the group. The Board has proven to be of value in providing an advisory role to the Presiding Officers.

### Visitor Management at Parliament House

As reported last year, a Risk Management Group has been formed consisting of staff from SEPU, Assistant Clerk - Procedure & Serjeant-at-Arms, Assistant Clerk - House and Usher of the Black Rod and the Manager, Buildings & Grounds Services. This Group contributes to projects which assess, make recommendations on and address certain specific security risks within Parliament House.

One of the projects noted in last year's report related to the operational risks in having a large number of visitors attend Parliament House and move within the building, many for functions and meetings on sitting days or out of normal work hours. The Group looked at ways in which this risk could be mitigated while balancing the need for Parliament House to remain as open and public accessible in the current security environment.

As a consequence, an experienced interstate consultant was engaged during 2014-15 to conduct a Security Risk Review to identify weaknesses – physical, procedural and cultural – which could potentially make Parliament House vulnerable to threats. It was also part of the consultant's brief to recommend "treatment" measures to reduce such risks.

One method identified to address security threats, and to enhance the more orderly movement of visitors in the building, was through the installation of access control infrastructure in order to achieve public/private separation. In this manner, non-pass holders will only

be able to access certain parts of the building – which largely consist of the offices, workspaces and meeting rooms of Members and staff – when accompanied by a pass holder. Although this project remained in its early stages by the end of the period under review, and the installation of such infrastructure has the involvement of a broader range of staff and consultants than the Risk Management Group only, it is a project of significant importance to the Group's visitor management aims.

Another important means of managing visitor movements within Parliament House is through the development of a policy document to address issues such as: access to security passes; security screening; sign-in processes; and escort protocols. Such a policy document has a large number of potential flow-on effects, most significant of these being staffing and other resourcing requirements. By the conclusion of 2014-15, this document was about to be submitted to the Presiding Officers and the Parliamentary Executive Group for their consideration.

### **Parliament House Rekey Project**

The other principal project overseen by the Risk Management Group that was noted in last year's Annual Report was a comprehensive audit of the existing lock, key and key distribution system used in Parliament House. This included identifying improvements that could be incorporated in a new system, including an improved key and lock hierarchy, the appointment of key control officers in specific areas, the installation of key safes and the use of key management computer software.

These improvements were all adopted as part of a project that replaced every lock cylinder and key in Parliament House. This work was completed by API Locksmiths who also provided considerable advice as part of the planning for the project. The implementation of these changes was delayed until January 2015 as it was considered advisable to rekey locks following the State election in November 2014 and the subsequent swearing-in of new Members. It is considered that the rekey project, along with the new key distribution protocols, will ensure a considerably higher level of office security for Members and staff.

### **Security Operations Group**

Since 2009, and the transfer of prime responsibility for Parliament's security function to the Security and Electorate Properties Unit (SEPU), the Usher of the Black Rod has remained the Legislative Council's representative on the Security Operations Group (SOG). This Group meets prior to the commencement of each sitting week

with relevant parliamentary officers, Protective Services Officers and Parliament's private security provider. The SOG is a means of sharing information, raising issues and, generally, preparing for any security related matters in the week ahead.

## **WORKPLACE MAINTENANCE**

### **Refurbishment of Council amenities and staff areas**

Preparation work with Buildings & Grounds Services occurred during this year to refurbish the amenities and some offices on the second and third floors of the Council.

The amenities are not only used by staff but also by visitors to the Legislative Council Committee Room. The upgrade includes an accessible toilet, showers and kitchenette facilities. This work will alleviate the complaints about the poor amenities in this area of the building.

There is a plan to upgrade a number of Council staff offices within the department during the next two financial years. The first stage will focus on offices on the third floor which will include a small meeting area being created and sit/stand workstations installed.

The actual works will be carried out in the next financial year. Once these are complete stages two and three of the upgrades to the Council staff offices will be looked at.

### **Members' Office Relocations and Fit Outs**

The Attendant team and Deputy Clerk, on the instructions of the President, organised a large number of office moves for Members during 2014-15. These occurred primarily in the aftermath of the Victorian State election and the change of Government. The need for such moves was reinforced by 14 Members being elected to the Legislative Council who had not previously sat in the House. Members received considerable assistance from attendants with any requirements associated with packing and moving their possessions.

In addition, the standardisation of furniture and refurbishment of Members' offices, which has been coordinated by the Buildings & Grounds Services, continued during 2014-15. There are now only a very limited number of offices occupied by Council Members which have not been updated.

## Heritage Management Working Group

The Heritage Management Working Group (HMWG) was set up to coordinate and collaborate on the management of heritage items across the three departments. Heritage items are not owned by any one particular group, these items are owned by the Parliament.

Heritage items may include such things as plans, drawings, photos, images, artwork, documents, attire, signage, chamber items and furniture.

If the HMWG cannot resolve a matter it can refer the matter to the Oversight group for further consideration. The Oversight group consists of the Manager, Parliamentary Library and Information Services, Assistant Clerk - Procedure & Serjeant-at-Arms, Assistant Clerk - House and Usher of the Black Rod and the Manager, Buildings & Grounds Service.

## USE OF PRECINCTS

### Council Chamber and Meeting Rooms

The President, with assistance from the department, deals with requests for use of the Council Chamber, the Legislative Council Committee Room (LCCR) and, on occasions, the Knight Kerr Room. Co-ordination of arrangements for those venues and their servicing is undertaken by the Assistant Clerk - House and Usher of the Black Rod and attendant staff.

Apart from Legislative Council sittings, the Chamber was used throughout the year for a number of events and meetings including lectures, youth summits and debating competitions.

### Functions

The department assisted in providing services for various functions staged in the Legislative Council Chamber, Queen's Hall, the Legislative Council Committee Room, the Knight Kerr Room and the Parliamentary Gardens. As well as major functions, these included numerous luncheons, dinners, exhibitions and other events, all of which required support and a staffing presence from departmental staff, primarily Attendants, after hours, including weekends.

## PROFESSIONAL AND PERSONAL DEVELOPMENT

### Presiding Officers and Clerks Conference, July 2014

The 45<sup>th</sup> Conference of Presiding Officers and Clerks was hosted by the Legislative Assembly of the Parliament of Samoa, Apia, from 30 June to 5 July 2014.

Presiding Officers and Clerks from almost all jurisdictions in Australia, New Zealand and the Pacific attended, including the Clerk of the Legislative Council of Victoria. The program included a wide range of papers.

The 46<sup>th</sup> Conference of Presiding Officers and Clerks will be hosted by the Tasmania Parliament, Hobart, from 6 to 9 July 2015.

### ANZACATT Professional Development Seminar

The annual ANZACATT Professional Development Seminar was hosted by Parliament of New South Wales between 20 and 23 January 2015.

This annual three day seminar is rotated between Australian and New Zealand Parliaments. It aims to help Clerks and other parliamentary officers expand their knowledge of parliamentary systems and procedure, as well as the administrative practices essential to the smooth operation of Parliament.

The theme of the seminar was *Parliaments: Responding to changes in the external environment*. Five staff from the department attended the seminar.

### Australasian Study of Parliament Group Conference

The department continues to actively support the activities of the Victorian Chapter of the Australasian Study of Parliament Group. The chapter is the most active in the Group and currently has 71 members. The Assistant Clerk Committees, Richard Willis, is currently the Secretary and Council Committee Secretary, Michael Baker, is Treasurer. Administrative assistance has been provided by the Clerk's Executive Assistant, Linda Shatilko.

Several seminars are held each year with guest speakers on a range of topics pertinent to parliamentary processes and the department is responsible for making the arrangements (see page 21 of this report).

The annual conference of the Australasian Study of Parliament Group (ASPG) was held in Sydney in October 2014 at the New South Wales Parliament House. The theme of the conference was *How Representative is Representative Democracy?* The conference was attended by a number of committee staff, including the Assistant Clerk Committees, who also attended as Secretary of the Victorian chapter of the ASPG.

### Parliamentary Law Practice and Procedure Course

The Parliamentary Law Practice and Procedure Course organised by ANZACATT and conducted at the University of Tasmania was not held in this reporting period. Instead it will be held from 2 to 7 July 2015.

The course is open to Australian and New Zealand parliamentary staff who have a university degree at Bachelor level or higher. The course modules comprise constitutional foundations and framework; law, custom and procedure; privileges; control, oversight and scrutiny; and the legislative process. Included in the course is a panel of Clerks which is designed to focus on procedural aspects and contemporary issues in Parliament, and allows students to ask questions about topics and issues of interest.

### Council Team Workshop

Converge International were engaged to facilitate a half-day workshop for the whole Council team in March 2015. To assist in planning for this session, voluntary one on one interviews were conducted with a cross section of the staff of the department to get a sense of how the team is travelling; what's working well; what's not working so well; and what do you think should be done about it.

The information received from these interviews then guided the format for the workshop along with an opportunity for staff to gain an understanding of the department's goals for the 58<sup>th</sup> Parliament. The Clerk talked about the challenges and expectations within the current political environment and the importance of working as a team.

Further work from this workshop will be carried out during the next reporting period.

## FINANCE

### Public Accounts and Estimates Committee Hearing

The Presiding Officers and Department Heads appeared before the Public Accounts and Estimates Committee (PAEC) hearing on 14 May 2015 in connection with its inquiry into the 2015-16 Budget Estimates.

The hearing began with a Powerpoint presentation highlighting the Parliament's achievements in 2014-15 and the challenges for the following year. The transcript of the hearing is available on the PAEC section of the Parliament's website.

### Legislative Council Budget

The core funding for the Legislative Council in 2014-15 was provided in two ways – Special Appropriations and the annual Parliament Appropriation Act.

The *Appropriation (Parliament 2014/15) Act 2014* (the Act) provided \$3.254 million, which was a temporary increase over the amount of \$3.081 million provided in 2013-14. The forward estimates identified this increase as being in support of the operations of Council standing committees, which have to be funded from the Council's appropriation rather than the joint investigatory committees appropriation. The special appropriation for the Council paid under section 94 of the *Constitution Act 1975* is a fixed amount of \$200,000.

This funding model, particularly in the light of a politically diverse upper house increasing its standing and select committee and broader scrutiny role, is ad hoc, unsustainable and diminishes the independence of Parliament from the Executive.

Funding for the parliamentary joint investigatory committees in 2014-15 was also included in the Act.

Special Appropriations for Members cover the payment of Members' salaries and allowances pursuant to the *Parliamentary Salaries and Superannuation Act 1968*, under which prescribed salary, allowances and superannuation contributions are automatically appropriated.

The Act provided funds for the Legislative Council on the basis of provision of outputs, covering salaries and overtime, operating expenses, subsidiary expenses associated with the employment of personnel, including both Members and staff employed in the parliamentary precinct (i.e., payroll tax, superannuation levy, WorkCover levy) and parliamentary printing.

For budgeting purposes, the 'Department of the Legislative Council' is treated as an output group which is required to meet certain performance targets in delivering outputs in return for the department's budget resources. Those outputs, which are grouped on a quantity, quality and timeliness basis in the budget documents, represent a summary of the department's main functions in relation to the sittings of the Council and some education and public relations related activities. A detailed account of those outputs and their performance measures appears at Appendix G to this report.

In summary, the sources of the Council's budget for 2014-15 were:

<b>Special Appropriations</b>	
Members' salaries and allowances and superannuation contributions	\$12,208,000
Clerk and expenses of the Legislative Council	\$200,000
Auditor-General's Office Audit	\$12,500
<b>Parliament Appropriation Act</b>	
Provision of outputs	\$3,254,000

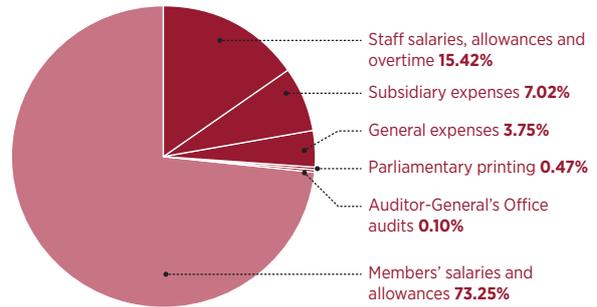
The detailed figures for 2014-15 for the department appears in expenditure at Appendix F to this report and a breakdown of expenditure for the Legislative Council on a percentage basis is depicted in the following charts:

#### Budget (%) members and departmental, 2014-15



*N = \$15,674,300 (Source: Appendix F)*

#### Actual Expenditure (%) members and departmental, 2014-15



*N = \$12,395,730 (Source: Appendix F)*

#### Committees' Office - Council Standing Committees and Joint Investigatory Committees

The department is responsible for administering four of the Parliament's nine joint investigatory committees and the Council Standing Committee Office. The Assistant Clerk - Committees is responsible for the provision of accurate and timely advice, and effective and efficient support services to relevant joint investigatory committees (for which the department has administrative responsibility), Council standing committees and any other select and standing committees which may be appointed by the Legislative Council.

The support services provided by the Committees' Office include the provision of financial resources and adequate and competent staff, the analysis of evidence and the presentation of reports to Parliament. The Assistant Clerk - Committees is responsible to the President for the oversight of the operations of those committees and their secretariats whose role is to provide administrative, research, procedural and budgetary support. Consultants are engaged from time to time depending on the inquiries before the committees.



# Appendix A

## Role of the Legislative Council Staff

### Clerk's Office

The department's administration is headed by the Clerk whose main role is to provide policy, procedural and management advice to the President and Members of the Council on all matters relating to the operations of the Council and the Committees which it services. The Clerk is assisted by the Deputy Clerk who is responsible for the day to day management of the department. The Clerk is required to provide an accurate record of the decisions and proceedings of the Council and to ensure that the passage of legislation is in accordance with legislative and procedural requirements. As Department Head, he has overall responsibility for the financing, staffing and administration of the department and is a member of the Parliamentary Executive Group. The Clerk's Office is also responsible for the management of projects and special events as well as a number of other administrative and operational matters. Other staff in the Clerk's Office are the Executive Assistant to the Clerk and the Project Officer. The Clerk is also Honorary Assistant Secretary to the Victoria Branch of the Commonwealth Parliamentary Association. The Department accordingly provides some support services to the Branch. The Deputy Clerk also maintains the Register of Members' Interests on behalf of the Clerk of the Parliaments.

### Chamber Support Office

The Chamber Support Office undertakes the daily functions of the Table Office, procedural research and other research and administrative assistance. These functions are the overall responsibility of the Assistant Clerk — House and Usher of the Black Rod and managed by the Manager, Chamber Support Office. The Chamber Support Office is comprised of the Manager, two Senior Chamber Support Officers and two Chamber Support Officers. The production and management of public documents which underpin the sittings of the House and official record keeping responsibilities of the Clerk are a priority for the Table Office. Procedural research, writing publications and web content, administrative assistance for the department and involvement in significant projects, such as Youth Parliament, Open Day and Openings of Parliament are other important aspects of the broader Chamber Support Office.

### Attendant Staff

Under the direction of the Assistant Clerk — House and Usher of the Black Rod, the Principal Attendant manages and supervises a team of Attendants. The Principal Attendant provides general assistance to the Table Officers and attends to various requirements of Members, especially during the sittings of the Council. He also plays a ceremonial role on parliamentary occasions such as the Opening of Parliament and, occasionally, in greeting and escorting dignitaries on official calls at Parliament House. The Attendants group is generally responsible for the daily cleaning and maintenance of offices, meeting rooms and other areas of the Council precincts, the provision of security and enquiry services, and a daily courier service within and outside the building. Attendant staff also provide services for the sittings of the House, meetings of Parliamentary Committees and at functions held at Parliament House. The Attendant team also contributes to the security of the building by, amongst other things, performing the Attendant — Security Control Room role and mail scanning function for which training and accreditation is required. Some Council Attendants also perform public tour duties on a daily basis as part of the Parliament's civic engagement function.

### Committees' Office

The department is responsible for administering four of the Parliament's nine Joint Investigatory Committees — Accountability and Oversight, Economic, Education, Jobs and Skills, Environment, Natural Resources and Regional Development and Independent Broad-based Anti-corruption Commission. Centralised support services are provided by the Committee Services Office. The department is also responsible for administering the Council Committees Office which was established at the commencement of the 57<sup>th</sup> Parliament. There are currently three Committees — Economy and Infrastructure, Environment and Planning and Legal and Social Issues. The Assistant Clerk — Committees is responsible for the provision of accurate and timely advice, and effective and efficient support services to relevant joint investigatory committees (for which the Department has administrative responsibility), Council Standing Committees and any other select and standing committees which may be appointed by the Legislative Council. The support services provided

by the Committees' Office include the provision of financial resources and adequate and competent staff, the analysis of evidence and the presentation of reports to Parliament. The Assistant Clerk — Committees is responsible to the President for the oversight of the operations of those committees and their secretariats whose role is to provide administrative, research, procedural and budgetary support.

### **President's Office**

The President's Office comprises the Executive Assistant who provides advice and assistance to the President on matters of parliamentary administration, official delegations and ceremonial events, and projects sponsored by the President.

# Appendix B

## Staff employed as at 30 June 2015

<b>Clerk's Office</b>	
Wayne Tunnecliffe	Clerk of the Legislative Council*
Andrew Young	Acting Clerk of the Legislative Council
Anne Sargent	Deputy Clerk
Matthew Tricarico	Deputy Clerk*
Stephen Redenbach	Assistant Clerk – House and Usher of the Black Rod
Richard Willis	Assistant Clerk – Committees
Linda Shatilko	Executive Assistant to the Clerk
Andrea Agosta	Project Officer
<b>President's Office</b>	
Natalie Tyler	Acting Parliamentary Adviser to the President
Jessica Pattison	Parliamentary Adviser to the President (maternity leave)
<b>Chamber Support Office</b>	
Vivienne Bannan	Manager, Chamber Support
Juliana Duan	Senior Chamber Support Officer (Procedure and Administration)
Rohan Davis	Chamber Support Officer (Procedure and Administration)
<b>Parliamentary Attendants</b>	
Greg Mills	Principal Attendant
Michael Stubbings	Deputy Principal Attendant
Peter Anastasiou	Parliamentary Attendant
Patrick Boribon	Parliamentary Attendant (Clerk's Post)
Philip Stoits	Parliamentary Attendant (Security Control Room)
Nicholas Paraskavas	Parliamentary Attendant
Chris Welstead	Parliamentary Attendant
<b>Committee Office - Committee Services Office</b>	
Ebony Cousins	Committee Services Officer
Justin Ong	Graphic Designer and Publishing Officer

**Joint Investigatory Committees - Secretariat staff**

Janine Bush	Executive Officer
Sean Coley	Executive Officer
Sandy Cook	Executive Officer
Kerryn Riseley	Executive Officer
John Aliferis	Research Officer
Kelly Butler	Research Officer
Pete Johnston	Research Officer
Christianne Andonovski	Committee Administrative Officer
Stephanie Dodds	Committee Administrative Officer
Natalie-Mai Holmes	Committee Administrative Officer
Matthew Newington	Committee Administrative Officer
Helen Ross-Soden	Committee Administrative Officer

**Council Standing Committees**

Keir Delaney	Secretary, Council Standing Committees
Michael Baker	Secretary, Council Standing Committees
Lilian Topic	Secretary, Council Standing Committees
Anthony Walsh	Research and Legislation Officer
Annemarie Burt	Research Assistant
Kim Martinow	Research Assistant

The following staff were employed in the department either as on going, part time or on a casual basis:  
Justin Elder, Sarah Hyslop, Anita Madden, Scott Martin, Karen Taylor and Amy White.

\* Andrew Young and Anne Sargent appointed to their respective positions during Wayne Tunnecliffe's and Matthew Tricarico's extended leave in advance of their retirement.

# Appendix C

## Members of the Legislative Council – 58<sup>th</sup> Parliament as at 30 June 2015

Region	Name	Party	Region	Name	Party
<b>Eastern Metropolitan Region</b>	Hon Bruce Atkinson	LIB	<b>South Eastern Metropolitan Region</b>	Hon Gavin Jennings	ALP
	Hon Richard Dalla-Riva	LIB		Mrs Inga Peulich	LIB
	Ms Samantha Dunn	AG		Hon Gordon Rich-Phillips	LIB
	Mr Shaun Leane	ALP		Hon Adem Somyurek	ALP
	Hon Mary Wooldridge	LIB		Ms Nina Springle	AG
<b>Eastern Victoria Region<sup>1</sup></b>	Ms Melina Bath	NAT	<b>Southern Metropolitan Region</b>	Ms Georgie Crozier	LIB
	Mr Jeffrey Bourman	SFP Vic		Mr Philip Dalidakis	ALP
	Mr Daniel Mulino	ALP		Hon David Davis	LIB
	Hon Edward O'Donohue	LIB		Ms Margaret Fitzherbert	LIB
	Ms Harriet Shing	ALP		Ms Sue Pennicuik	AG
<b>Northern Metropolitan Region</b>	Mr Greg Barber	AG	<b>Western Metropolitan Region</b>	Dr Rachel Carling-Jenkins	DLP
	Mr Nazih Elasmr	ALP		Mr Khalil Eideh	ALP
	Hon Jenny Mikakos	ALP		Mr Bernie Finn	LIB
	Mr Craig Ondarchie	LIB		Ms Colleen Hartland	AG
	Ms Fiona Patten	ASP		Mr Cesar Melhem	ALP
<b>Northern Victoria Region</b>	Hon Damian Drum	NAT	<b>Western Victoria Region</b>	Mr Joshua Morris	LIB
	Hon Steve Herbert	ALP		Hon Jaala Pulford	ALP
	Hon Wendy Lovell	LIB		Mr James Purcell	VILJ
	Ms Jaclyn Symes	ALP		Mr Simon Ramsay	LIB
	Mr Daniel Young	SFP Vic		Ms Gayle Tierney	ALP
Party	Members		Party	Members	
<b>ALP</b>	Australian Labor Party	14	<b>ASP</b>	Australian Sex Party	1
<b>LIB</b>	Liberal Party	14	<b>DLP</b>	Democratic Labour Party	1
<b>NAT</b>	The Nationals	2	<b>VILJ</b>	Vote 1 Local Jobs	1
<b>AG</b>	Australian Greens	5	<b>Total</b>		<b>40</b>
<b>SFP Vic</b>	Shooters and Fishers Party Victoria	2			

<sup>1</sup> Mr Daniel O'Brien resigned as a Member of the Legislative Council on 25 February 2015.

Ms Melina Bath was sworn in as a Member of the Legislative Council on 16 April 2015.

## Appendix D

### Selected statistics relating to sittings of the Legislative Council 2009-10 to 2014-15

	2010-11	2011-12	2012-13	2013-14	2014-15
<b>Number of days House met</b>	46	51	52	51	40
<b>Number of hours House met</b>	451 hrs 47 mins	457 hrs 58 mins	453 hrs 40 mins	422 hrs 10 mins	347 hrs 11 mins
<b>Average number of hours per sitting day</b>	9 hrs 49 mins	8 hrs 59 mins	8 hrs 43 mins	7hrs 59mins	8 hrs 27 mins
<b>Bills dealt with</b>					
Initiated in L.C.	5	11	6	26	16
Received from L.A.	66	87	83	82	58
Passed without amendment	65	89	81	90	52
Passed with amendments	11	3	4	1	5
Defeated	0	1	3	2	3
Lapsed	7	0	0	0	12
Withdrawn	0	0	1	7	0
Ruled out of Order	0	0	0	0	0
<b>Sets of amendments circulated</b>	47	30	32	28	26
<b>Bills considered in Committee of the Whole</b>	52	57	48	43	32
<b>Questions on notice processed</b>	2,800	6,095	1045	922	1,089
<b>Petitions Tabled</b>	71	57	81	38	28
<b>Signatories to petitions</b>	24,106	17,652	32,903	34,571	24,180
<b>Papers tabled</b>	1,426	1,483	1,653	1,707	1,529
Annual reports	327	309	327	337	324
Statutory Rules	144	178	192	176	202
Planning scheme amendments	468	469	507	460	433
Proclamations	74	49	62	55	49
Other (including special reports, Parliamentary Committee reports etc)	413	454	565	679	386
<b>Production of documents</b>	512	24	58	3	27

# Appendix E

## Statistics relating to Committees administered by the Legislative Council

### Legislative Council Standing Committees

	SCEI	SCEP	SCLSI	PC
Deliberative Meetings	5	6	10	7
Public Hearings	1	7	12	0
Visits/Inspections	0	0	0	0
Reports Presented	1	0	1	1

**SCEI** Standing Committee on Economy and Infrastructure  
**SCEP** Standing Committee on Environment and Planning  
**SCLSI** Standing Committee on Legal and Social Issues  
**PC** Procedure Committee (Legislative Council)

### Joint Investigatory Committees

	AOC	EDIOS/ ISC	EEJSC	ETC	ENRC/ ENRRDC	IBACC	LRDCPC	RSC
Deliberative Meetings	5	4	3	0	20	7	7	0
Public Hearings	0	0	0	0	25	0	1	0
Visits/Inspections	0	0	0	0	3	10	0	0
Reports Presented	1	1	0	1	2	0	1	0

**AOC** Accountability and Oversight Committee  
**EDIOS/ISC** Economic Development, Infrastructure and Outer Suburban/Interface Services Committee  
**EEJSC** Economic, Education, Jobs and Skills Committee  
**ETC** Education and Training Committee  
**ENRC/ENRRDC** Environment and Natural Resources Committee (renamed Environment, Natural Resources and Regional Development Committee on 16 April)  
**LRDCPC** Law Reform, Drugs and Crime Prevention Committee  
**RSC** Road Safety Committee

# Appendix F

## Legislative Council Expenditure Statements, 2014-15

2013-14 Actual \$	Expenditure	2014-15 Budget \$	2014-15 Actual \$
1,750,458	Staff salaries, allowances and overtime	2,071,100	1,911,205
546,877	Subsidiary expenses <sup>1</sup>	659,000	869,709
439,942	General expenses	633,200	464,549
58,720	Parliamentary printing	90,500	57,851
17,000	Auditor-General's Office audits	12,500	12,500
<b>2,812,997</b>	<b>Total – Departmental</b>	<b>3,466,300</b>	<b>3,315,814</b>

## Legislative Council – Members – Special Appropriations

2013-14 Actual \$	Expenditure	2014-15 Budget \$	2014-15 Actual \$
8,525,682	Members' salaries and allowances	9,302,000	9,079,916
2,179,688	Members' contributory superannuation	2,906,000	-
<b>10,705,370</b>	<b>Total – Members</b>	<b>12,208,000</b>	<b>9,079,916</b>
<b>13,518,367</b>	<b>TOTAL</b>	<b>15,674,300</b>	<b>12,395,730</b>

NOTES:

1. Subsidiary expenses include long service leave and recreation leave provision, payroll tax, employer

This information is provided for the benefit of Members. A complete set of the financial statements of the Parliament of Victoria is provided in the Department of Parliamentary Services Annual Report for 2014-15.

# Appendix G

## Major Outputs and Performance Measures – Legislative Council

Major Outputs/Deliverables Performance Measures	Unit of Measure	Target	Actual
<b>Procedural Support, Documentation Preparation and Provision of Information for Council</b>			
<b>Quantity</b>			
Procedural references updated biannually	number	2	2
<b>Quality</b>			
Bills and amendments processed accurately through all relevant stages and other business of the House conducted according to law, Standing and Sessional Orders	percent	100%	100%
Member satisfaction with accuracy, clarity and timeliness of advice	percent	90%	98%
<b>Timeliness</b>			
Documents tabled within time guidelines	percent	95%	95%
House documents and other Sitting related information available online one day after sitting day	percent	100%	100%
<b>Cost</b>			
Total output cost	\$ million	15.7 (3.466)*	12.5 (3.315)*

\* These amounts are the department's operating funds to achieve outputs.

# Appendix H

## Joint Investigatory Committees – Expenditure Statements, 2014-15

2013-14 Actual \$	Joint Investigatory Committee	2014-15 Budget \$	2014-15 Actual \$
304,456	Accountability and Oversight Committee <sup>2</sup>	348,970	260,837
(6,029)	Drugs and Crime Prevention <sup>4</sup>	-	-
55,467	Economic Development and Infrastructure <sup>4</sup>	-	-
293,552	Economic Development, Infrastructure and Outer Suburban/Interface Services Development <sup>2</sup>	364,740	230,035
308,843	Education and Training <sup>2</sup>	351,670	223,039
338,631	Electoral Matters <sup>1</sup>	373,460	318,091
387,100	Environment and Natural Resources <sup>2</sup>	367,840	281,136
523,990	Family and Community Development <sup>1</sup>	373,560	280,874
288,625	Independent Broad-Based Anti-Corruption Commission <sup>1</sup>	350,230	171,527
27,776	Law Reform <sup>4</sup>	-	-
446,737	Law Reform, Drugs and Crime Prevention <sup>2</sup>	435,700	330,183
(17,873)	Outer Suburban/Interface Services Development <sup>4</sup>	-	-
796,275	Public Accounts and Estimates <sup>1</sup>	890,730	675,111
306,099	Road Safety <sup>2</sup>	355,520	279,250
368,701	Rural and Regional <sup>1</sup>	367,110	261,661
448,538	Scrutiny of Acts and Regulations <sup>1</sup>	504,710	412,541
1,084,911	Committee Services Office <sup>3</sup>	1,931,760	1,070,687
272,000	Auditor-General's Office	-	-
-	Economic, Education, Jobs and Skills	-	42,284
-	Environment, Natural Resources and Regional Development	-	39,314
<b>6,227,799</b>	<b>TOTAL</b>	<b>7,016,000</b>	<b>4,876,570</b>

### NOTES:

1. Committees administered by the Legislative Assembly: Electoral Matters; Family and Community Development; Independent Broad-Based Anti-Corruption Commission; Public Accounts and Estimates; Rural and Regional; Scrutiny of Acts and Regulations.
2. Committees administered by the Legislative Council: Accountability and Oversight Committee; Economic Development, Infrastructure and Outer Suburban/Interface Services Development; Economic, Education, Jobs and Skills; Education and Training; Environment and Natural Resources; Environment, Natural Resources & Regional Development; Law Reform, Drugs and Crime Prevention, Road Safety.
3. Both House Departments jointly administer the Committee Services Office. Its budget includes rental payments for committee accommodation and various other administrative overheads for whole of committee operations.
4. A one month budget was established to administer the Drugs and Crime Prevention, Economic Development and Infrastructure and Law Reform and Outer Suburban/Interface Services Development Committees during the reporting period.

# Appendix I

## Major Outputs and Performance Measures – Joint Investigatory Committees

Major Outputs	Unit of Measure	Target 2014-15	Actual 2014-15
<b>Quantity</b>			
Reports tabled per annum	number	22	28
<b>Quality</b>			
Committee members satisfied that advice about procedure, research and administration is responsive, clear, objective and prompt	percent	80%	98% <sup>1</sup>
Inquiries conducted and reports produced in compliance with procedural and legislative requirements	percent	95%	100%
<b>Timeliness</b>			
Reports tabled in compliance with procedural and legislative deadlines	percent	95%	100%
<b>Total output cost</b>	<b>\$ million</b>	<b>7,000,000</b>	<b>7,000,000</b>

NOTE:

1. Based on client survey (Members on joint investigatory committees) conducted in May 2015.

Committees administered by the Legislative Assembly: Electoral Matters; Family and Community Development; Independent Broad-Based Anti-Corruption Commission Committee; Public Accounts and Estimates; Rural and Regional; Scrutiny of Acts and Regulations.

Committees administered by the Legislative Council: Accountability and Oversight Committee; Economic Development, Infrastructure and Outer Suburban/Interface Services Development, Education and Training; Environment and Natural Resources; Law Reform, Drugs and Crime Prevention, Road Safety.

Both House Departments jointly administer the Committee Services Office. Its budget includes rental payments for committee accommodation and various other administrative overheads for whole of committee operations.

# Appendix J

## Supplementary information as at 30 June 2015

### General Stores on Hand

As at 30 June 2015, the Chamber Support Office had the following stores on hand which were valued at cost:

Letterhead paper	\$915.00
Envelopes	\$7564.24
Other Stores incl. Pads, With Compliments slips, etc	\$3485.00

# Appendix K

## Non-current physical assets

The Black Rod.

Departmental uniforms.

Furniture and fittings - Includes desks, credenzas, filing cabinets, chairs, refrigerators, hall stands, bookcases, wardrobes, works of art, safes, desk lamps, glassware and crockery.

Office equipment - Photocopiers, television sets, DVD players, video recorders, video camera, digital cameras, video projectors, portable discussion sound system etc.

Communications - Telephones, mobile telephones, two-way radios, facsimile machines, audio systems, etc.

Computer equipment - Personal desktop computers, lap top computers, printers, scanners, file servers etc.

# Appendix L

## Administration of Acts

By order under the *Administrative Arrangements Act 1983* the administration of Acts of the Parliament is vested in Ministers and, accordingly, a number of Acts have been assigned to the Premier. In several instances, however, the work involved in administration of those Acts is, in practice, either wholly or partly the responsibility of the parliamentary departments.

The Department of the Legislative Council is involved in the administration of a number of Acts, including:

- *Constitution Act 1975*
- *Members of Parliament (Register of Interests) Act 1978*
- *Parliamentary Administration Act 2005*
- *Parliamentary Committees Act 2003*
- *Parliamentary Precincts Act 2001*
- *Parliamentary Salaries and Superannuation Act 1968*



## **Appendix M**

### **Disclosures made under the *Protected Disclosure Act 2012***

For the period 2014-15, no disclosures were made.





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