

**2019 Budget Estimates - Questions on Notice - Customer Service - Minister
Dominello
Portfolio Committee No. 6 – Transport and Customer Service
Hearing Thursday 12 September 2019**

Liquor & Gaming - prohibited features register

Ms CATE FAEHRMANN: Thank you. Minister, are you aware of the last time a feature was added to the prohibited features register?

Mr VICTOR DOMINELLO: I am happy to take that on notice.

Ms CATE FAEHRMANN: I will tell you when it was. It was 2011. Do you think that the reason why there has not been a prohibited feature placed on that register since then is that there are no longer any features on gaming machines that cause harm?

Mr VICTOR DOMINELLO: Again, I am happy to take that on notice.

ANSWER

The NSW Gaming Machines Prohibited Features Register is published by the Independent Liquor & Gaming Authority (the Authority). It currently contains 14 features of gaming machines that are not able to be approved under the Gaming Machines Act 2001. These prohibited features are in addition to technical standards and prohibited features listed in the Australian/New Zealand Gaming Machine National Standard (a uniform standard across Australia and New Zealand) and the NSW Appendix to the Australian/New Zealand Gaming Machine National Standard.

The Register is one of a number of technical standards that all gaming machine product applications are subject to that prevent harmful products being released into the market. The Register is a minimum standard used as a harm minimisation guideline for gaming machine manufacturers. It is a benchmark to ensure that gaming machine manufacturers meet legal requirements to minimise harm associated with the misuse and abuse of gambling activities.

While the Authority is to have regard to the Register, as well as the Standard, it is also required to critically assess the evidence about every product submitted for approval, irrespective of whether it complies with the Standard and Register. This legislative requirement ensures that the Authority is able to refuse to approve gaming equipment even where it does not contain a feature from the Register.

Specifically, when considering an application for the approval of a gaming machine, the Authority is required by section 62A of the Act to have due regard to whether any feature, function or characteristic of the device, or the combination of these features, is likely to exacerbate problem gambling.

In making a determination, the Authority has regard to evidence about the operation of the feature, function or characteristic and its ability to exacerbate problem gambling, irrespective of whether it complies with the Register or the Australian/New Zealand Gaming Machine National Standard.

Liquor & Gaming - prohibited features register

Ms CATE FAEHRMANN: It was the previous Minister, but right now you are the Minister and I am asking you the questions in relation to certain features on poker machines that cause harm. Now you have a register. Yes?

Mr VICTOR DOMINELLO: Yes.

Ms CATE FAEHRMANN: That is for features which are prohibited because they cause harm.

Mr VICTOR DOMINELLO: Yes.

Ms CATE FAEHRMANN: Why hasn't any feature been added since 2011?

Mr VICTOR DOMINELLO: I will take that question on notice.

ANSWER

Please see previous answer.

Liquor & Gaming - prohibited features register

Ms CATE FAEHRMANN: Your department has had a report issued to you that says that a feature called "losses disguised as wins" causes addiction. Do you agree that it potentially should also be on the prohibited features register, because it is making people addicted—it is causing harm?

Mr VICTOR DOMINELLO: Ms Faehrmann, I am not trying to cavil with you—

Ms CATE FAEHRMANN: No, it is a question.

Mr VICTOR DOMINELLO: I accept the question. I am saying that, in all honesty, I will take it on notice. I will have a look at it. I am happy to take it on notice.

ANSWER

The Government is undertaking a review of the NSW Gaming Machines Prohibited Features Register to determine whether any new or proposed gaming machine features present an unreasonable risk of harm to players.

Liquor & Gaming - prohibited features – review of gaming machines

Ms CATE FAEHRMANN: Is your Government committed to reviewing gaming machines to see whether there are any more features that are causing people to become addicted to them and therefore causing harm?

Mr VICTOR DOMINELLO: Again, Ms Faehrmann, I am proud—

Ms CATE FAEHRMANN: You will have a look?

Mr VICTOR DOMINELLO: I am absolutely happy to have a look. I am actually very proud of the fact that our Government has introduced the Office of Responsible Gambling, because it does play to the point that you raised. At the moment, of the \$35 million, I think about 80 per cent is going into, essentially, rehabilitation, but we really need to put more into education to stop the problem in the first place. I will take that question on notice and have a look at it.

Ms CATE FAEHRMANN: One other feature that experts have suggested should be on the prohibited features list is loyalty programs. Are you aware of what loyalty programs are, Minister?

Mr VICTOR DOMINELLO: Yes, broadly. I am happy to take that on notice as well, Ms Faehrmann, and report back.

ANSWER

The Act defines a player reward scheme as a system used in connection with the operation of approved gaming machines in a hotel or club, in which the player accumulates bonus or reward points from playing the gaming machines. These reward schemes are not a feature of a gaming machine and are therefore not covered by the Prohibited Features Register.

However, the Government has put in place comprehensive harm minimisation standards under the *Gaming Machines Act 2001* and the *Casino Control Act 1992* to ensure loyalty programs are run responsibly. These measures include:

- restrictions on the nature and size of prizes awarded to members,
- restrictions on the kinds of offers that can be made to a player,
- mandatory access to player activity statements, which allows a player to more effectively manage their gambling behaviour, and
- provision of information on how to get help, including through voluntary pre-commitment and self-exclusion.

Venues can face disciplinary action and significant monetary penalties if they use their player reward scheme to encourage players to misuse or abuse gambling activities.

Liquor & Gaming - prohibited features register

Ms CATE FAEHRMANN: Thank you. On the prohibited features register, I would suggest, gambling harm experts have suggested there are at least two features which urgently need addressing by your Government. One is loyalty programs. The other is losses disguised as wins. Will you commit to looking at both of those as to whether they should be on that register?

Mr VICTOR DOMINELLO: Again, I am happy to take it on notice

ANSWER

Please see the answer to questions above.

Minister's Office – private staff

The Hon. DANIEL MOOKHEY: Mr Tom Green was an adviser of yours, wasn't he?

Mr VICTOR DOMINELLO: Sorry?

The Hon. DANIEL MOOKHEY: Tom Green was an adviser of yours, wasn't he?

Mr VICTOR DOMINELLO: At what point?

The Hon. DANIEL MOOKHEY: I am asking you. You tell me. When did he start working for you?

Mr VICTOR DOMINELLO: I will take that on notice. I cannot recall.

The Hon. DANIEL MOOKHEY: What duties did he perform for you?

Mr VICTOR DOMINELLO: Again, these are staffing matters. I will take it on notice.

The Hon. DANIEL MOOKHEY: You do not wish to elucidate precisely what duties he performed?

Mr VICTOR DOMINELLO: If you are asking me for a memory test—

The Hon. DANIEL MOOKHEY: It is not a memory test but I will move on. You have taken it on notice. Was he good at his job?

Mr VICTOR DOMINELLO: Yes. He was very good at his job.

The Hon. DANIEL MOOKHEY: For the period of the election,

ANSWER

Mr Green was employed in the office of the Hon. Victor Dominello under the terms of the Members of Parliament (Staff) Act 1984 from May 2014 – June 2018.

SIRA – section 39

The Hon. DANIEL MOOKHEY: Minister, how many injured workers have had their benefits terminated because of section 39?

Mr VICTOR DOMINELLO: I am happy to take it on notice. I will refer it to Ms Donnelly, who has got the exact number.

ANSWER

As at 30 June 2019, 3,886 workers have ceased entitlement to weekly payments as a result of section 39.

Customer Service cluster – portfolio agency split

The Hon. MARK BANASIAK: Minister, we learnt the other day that the Minister for Better Regulation and Innovation is the Minister for only some regulation. Do you have oversight over Customer Service in all government agencies, or are you limited as well in terms of what agencies that you have oversight of in terms of delivering customer service?

Mr VICTOR DOMINELLO: As the Minister for Customer Service, I have agencies that directly report to me, and Mr Anderson has agencies that directly report to him.

The Hon. MARK BANASIAK: So you are not responsible for any agency that falls outside of that in making sure that they are delivering an acceptable level of customer service as Minister for Customer Service?

Mr VICTOR DOMINELLO: No. Obviously I have agencies in my cluster that report to me. There might be agencies, for example, within the Education cluster that would report to the Minister.

The Hon. MARK BANASIAK: But you would not have oversight over the delivery of customer service for that Education Department?

Mr VICTOR DOMINELLO: No. The primary responsibility is with the Minister.

The Hon. MARK BANASIAK: I am just trying to gauge how far your portfolio or scope goes. Would you be able to provide a list of those departments on notice or is it just the ones that are here today?

Mr VICTOR DOMINELLO: I am happy to give you the list—basically the list between myself and Minister Anderson, yes.

ANSWER

Details of the Customer Service Cluster agencies and their ministerial portfolio alignment are available on the Department of Customer Service's website at <https://www.customerservice.nsw.gov.au/about-us/ministers>.

Service NSW – opening hours

The Hon. MARK BANASIAK: I will come to a question about the mobile. Are the new offices or centres that you are opening adhering to the seven to seven o'clock—seven to seven hours of operation that was promised? Are they all adhering to that direction?

Mr VICTOR DOMINELLO: I will defer that to Mr Rees in relation to the operational hours.

Mr REES: We have a range of operational hours based on the needs of the individual communities. In terms of the remaining Service centres, there are three more to be opened in regional New South Wales. I will need to take the question on notice around the exact operating hours of those.

ANSWER

The proposed operating hours for three remaining Service NSW regional Service Centres are:

West Wyalong Service Centre: 9:00am to 4:00pm Mon - Fri

Forbes Service Centre: 9:00am to 4:00pm Mon - Fri

Tenterfield Service Centre: 9:00am to 4:00pm Mon – Fri

When determining opening hours, Service NSW considers customer demand, community needs and alignment to other opening hours in the local community. The following operational hours align with the current motor registry /Government Access Centre hours.

Service NSW – Digital Drivers licence – cost of project

The Hon. PETER PRIMROSE: Is it correct? Obviously he cannot or will not say. What has been the cost of the trial to date?

Mr VICTOR DOMINELLO: I will defer that.

Mr REES: I do not have a cost specifically for the trial. I can give you the expenditure to date for the program, if that is helpful. Otherwise I can take the trial cost on notice.

The Hon. PETER PRIMROSE: Yes. Could you also take on notice the cost of the project to date? Are there security issues associated with the delay of the rollout?

Mr VICTOR DOMINELLO: As I said, we are making sure that we have stability, security and all of those things in place as we roll out. That will happen very, very soon. So far the trials have been very successful.

We are very confident—

ANSWER

The project expenditure to date, on all work related to the DDL, including investment in base capabilities to be leveraged by government in the future, is \$14.65M

Corporate Services – DFSI WHS Framework

Mr DAVID SHOEBRIDGE: Thank you for that clarification. Minister, I have these two extraordinarily compendious documents, one called Safe Design and the other called DFSI WHS Framework, which I am told was produced for the department to seek to comply with its work, health safety obligations at a cost of \$250,000.

They were produced in March of last year. Have they been put into effect and have they been operationalised?

Mr VICTOR DOMINELLO: Can I take that on notice, Mr Shoebridge?

ANSWER

The documents have been used by the Department in developing the agencies new workplace health and safety plan in line with the NSW WHS Government Sector Plan 2018-2022

SIRA – section 39 reporting / collection of data

The Hon. DANIEL MOOKHEY: You have a remarkably prescient way of judging what I want to ask you next. I was going to ask you how many of them have actually found employment? How many of them have ended up on the Disability Support Pension? How many of them have you not been able to identify any source of income for, so they are neither on the Disability Support Pension or have any other source of income? How many others are you aware of who may or may not be homeless? They are the four specific points of information.

Ms DONNELLY: I am happy to take on notice what I cannot answer with that. But certainly from the work that we did do with that cohort that we followed up, we understood that about 29 per cent or 30 per cent were receiving some form of benefit. At the time that we followed up, there was about 8 per cent who had been declined and about 12 per cent who were still pending a determination from Centrelink. There were 18 per cent whose asset levels precluded them from receiving other benefits.

The Hon. DANIEL MOOKHEY: Sorry, only so that data is meaningful, do you know precisely when you stopped the point of collection?

Ms DONNELLY: I might take that on notice and let you know. I do not have that with me.

ANSWER

Workers have no obligation to provide SIRA with information relating to their income or Centrelink entitlements after they cease receiving weekly payments. SIRA information is therefore limited to which that is voluntarily reported.

The information as mentioned by Ms Donnelly was reported to SIRA in March 2018.

SIRA – Monash University longitudinal study

The Hon. DANIEL MOOKHEY: On notice can we get the other information on the longitudinal study that you have, if that is possible?

Ms DONNELLY: Yes, I can provide some information.

ANSWER

The purpose of the longitudinal study is to provide an independent evaluation of the health and social outcomes of injured NSW workers.

The project's key objective is to determine post-claim outcomes of workers who have had long duration workers' compensation claims and whose income benefits under the workers' compensation scheme ceased from December 2017. It will compare these outcomes with groups of workers who are exiting the scheme going back to work or those with an assessed work capacity.

The project is being delivered by Professor Alex Collie, a senior Australian work, health and injury researcher from Monash University. Professor Collie is currently leading several large applied research projects in the fields of workplace health and injury management both in Australia and around the world.

The methodology is through data linkage. The study required multiple ethic committee reviews including Monash University, The Australian Institute for Health and Welfare, and NSW Health ethics committee reviews. The Monash Human Research Ethics Committee and the NSW Population and Health Services Research Ethics Committee has approved the study and the Australian Institute for Health and Welfare Ethics Committee will consider the project in their upcoming meeting on 1 October 2019.

The findings will enable SIRA to take evidence-informed actions to support workers and improve health and social outcomes.

SIRA – investigations

The Hon. DANIEL MOOKHEY: On notice, can we get a list of all the investigations that you have currently embarked upon?

Ms DONNELLY: Certainly

ANSWER

SIRA is currently undertaking the following investigations:

- 5,928 matters related to uninsured employers
- 23 fraud investigations
- 70 insurer investigations

SIRA – corrective services – icare – QBE insurance

The Hon. DANIEL MOOKHEY: I want to talk specifically about one specific matter that has come to our attention, and that is correctional officers—Corrective Services NSW, therefore—and it involves icare as the Nominal Insurer. To be fair, I am not making any criticisms of icare here, because the information is they are the people who this lands on. But a report was received by icare in the first half of this year. It said that they commissioned KPMG to undertake an investigation into claims that correctional officers had their claims refused on the basis of misleading evidence provided by their employer. KPMG investigated and the report was received by icare in the first half of 2018. The report says it supported the allegation that QBE managed the claim based on the direction of the employer and that the employer altered evidence or provided two versions of the same document. That evidence held on file did not support the sound rationale for the claims and that was the basis on which the insurer then made the decisions. That is, icare effectively substantiated the complaints of the workers, which is they did not get what they were owed on the basis of their employer engaging in misleading and deceptive activity, effectively. Has this come to SIRA's attention?

Ms DONNELLY: It may have come to the attention of my officers. I am not familiar with the matter, but I am happy to take that on notice.

The Hon. DANIEL MOOKHEY: Were you provided with that report by icare or any disclosure?

Ms DONNELLY: I am happy to check, but I do not know the answer to that question right now.

The Hon. DANIEL MOOKHEY: To the extent to which you know, did SIRA take any action with icare with respect to this?

Ms DONNELLY: I would need to check that as well.

The Hon. DANIEL MOOKHEY: Additional information that is contained says that QBE's solicitor met with the employer and as a result of that there is certainly some implication that there was an additional variation to the statement which resulted in misleading or deceptive claims being made. Has any of that been investigated as to whether or not there was anybody else involved in this?

Ms DONNELLY: I would have to take on notice and find out for you. I am not able to answer yet, but I am happy to take it on notice.

The Hon. DANIEL MOOKHEY: Is it possible that perhaps by 5.00 p.m. you might be in a position to provide us with any information on this matter? I might then just come back to the questions if it is, because if it is the case that you know nothing about it, we will have to put all of these on notice.

Ms DONNELLY: I know if my team are listening and someone is able to brief me, then we will attempt to do that. If not, I will take it on notice.

ANSWER

Ms Donnelly provided an update to this question which appears on the Minister for Customer Service hearing transcript.

SIRA – surveillance

The Hon. DANIEL MOOKHEY: Do you have the data as to how many surveillance requests are coming through the schemes, excluding the Nominal Insurer, given that we got the Nominal Insurer two weeks ago?

Ms DONNELLY: I know the Nominal Insurer is going to give you their data. I do know that the—

The Hon. DANIEL MOOKHEY: Allianz specific, how many requests for surveillance, given that Allianz came under severe criticism in the Hayne royal commission for their use of surveillance practices? How many approvals have been given for Allianz, excluding the Nominal Insurer? Do you have that data with you?

Ms DONNELLY: I am happy to take that on notice but I understand that the numbers are extremely small.

The Hon. DANIEL MOOKHEY: If you could take that on notice. In fact, on notice can we get the surveillance figures for everybody that you have?

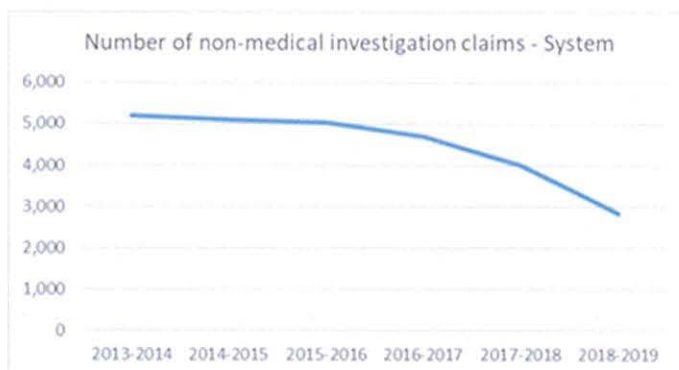
Ms DONNELLY: I will give you the data, yes

ANSWER

SIRA is aware that icare has provided its surveillance numbers for Allianz. Allianz also provides services to self-insurers including Chandler MacLeod and South 32 (a subsidiary of BHP), however SIRA does not hold the surveillance numbers.

Insurer expenditure on investigation providers, including those that offer surveillance, has reduced from \$32 million in the third quarter of 2012 to approximately \$16-19 million per quarter.

The graph below outlines the trend for non-medical investigation payments to a group of 30 surveillance providers.



SIRA – data on psychological injury claims for the last three years

The Hon. MARK BANASIAK: You might be able to provide this on notice. Would you be able to provide the data on psychological injury claims for the last three years?

Ms DONNELLY: Are you interested in all kinds of workers? I can most certainly do that.

The Hon. MARK BANASIAK: Yes, how many claims were accepted versus how many were denied, is that possible?

Ms DONNELLY: Yes, I am happy to do that. I will also point out that we have an open data portal on our website. You can search that information as well. I am not saying that we will make you do that but it is available.

ANSWER

There were 13,140 psychological injury claims accepted (Liability accepted and Provisional Liability accepted) and 3,465 (21% out of 16,605) psychological injury claims denied in the workers compensation scheme in the last three years.

Number of psychological claims - System				
	2016/17	2017/18	2018/19	Total
Accepted	3,486	4,374	5,280	13,140
Denied	1,366	1,047	1,052	3,465
Total	4,852	5,421	6,332	16,605

SIRA – data on psychological injury claims - Allianz

The Hon. MARK BANASIAK: Just going back to the claims in terms of psychological injuries, do you have the data from Allianz?

Ms DONNELLY: We would have the data from every provider in the system.

The Hon. MARK BANASIAK: Okay. Would you be able to drill down deep enough in terms of particular industries or government departments? I know that Allianz deals with a lot of government departments.

Ms DONNELLY: Absolutely, yes.

ANSWER

Yes. SIRA holds detailed workers compensation claims data including break downs by scheme agent and type of injuries.

SIRA – data on psychological injury claims – Department of Education

The Hon. MARK BANASIAK: Would you be able to come back to us on notice with how many psychological injuries have occurred from the Department of Education over that three-year period?

Ms DONNELLY: Yes, we would have that data.

The Hon. MARK BANASIAK: Thank you very much.

ANSWER

For the Department of Education, there were 1,923 psychological injury claims accepted (Liability accepted and Provisional Liability accepted) and 241 (11% out of 2,164) psychological injury claims denied in the last three years.

Number of psychological claims - Dept of Education				
	2016/17	2017/18	2018/19	Total
Accepted	629	603	691	1,923
Denied	71	75	95	241
Total	700	678	786	2,164

Liquor & Gaming – review of the gaming machines regulation

The CHAIR: Yes. The review of regulation into gaming machines would attract considerable public interest because it is an area that quite a few individuals are interested in, not just organisations. I have the consultation report in front of me and it says that invitations were extended to a number of organisations. It says that Liquor & Gaming NSW proactively sought comment from stakeholders via email. Would you be able to table for the committee those emails? I have been notified that at least one of those stakeholders suggested that they did not receive an invitation to proactively comment by email.

Ms MANN: I am happy to table those. Yes, absolutely.

ANSWER

Please see the attached list, named 'QTON 1 - stakeholders consulted - review of the gaming machines regulation'.

Liquor & Gaming – review of the gaming machines regulation

The CHAIR: When the report says that Liquor & Gaming NSW ran targeted consultation with the industry, health and government stakeholders, what does that "targeted consultation" mean?

Ms MANN: It can mean different things.

The CHAIR: In this particular circumstance with this regulation.

Ms MANN: I would have to speak to the team that ran the consultation process to give you the exact details of it, but obviously we are trying to elicit the broader stakeholder views on the issues. That might involve asking for written submissions. As you said, public exhibition has occurred. It might involve sitting down with stakeholders who have particular concerns and talking to them about those concerns. In relation to this one, I can absolutely get you the details of the consultation that occurred specifically.

ANSWER

On 19 June 2019, the Regulatory Impact Statement and draft regulation were emailed to community, industry and government stakeholders (see attached list 'QTON 1 - stakeholders consulted - review of the gaming machines regulation'). The email provided information on how to make a submission to the consultation, and offered all stakeholders the opportunity to discuss any comments in person or over the telephone during the consultation period.

The Regulatory Impact Statement and draft regulation were published on the Liquor & Gaming NSW website, the Department of Premier and Cabinet "Have your Say" website and circulated in the Liquor & Gaming Enews – which is broadly disseminated. Notification of the Regulatory Impact Statement and draft regulation was published in the Sydney Morning Herald and Daily Telegraph newspapers on the same date. Stakeholders were afforded an extended consultation period of 28 days, rather than the legislated requirement of 21 days public consultation.

Liquor & Gaming – review of the gaming machines regulation

The CHAIR: And did ILGA meet with any particular stakeholders from industry or health in relation to the draft regulations before they were placed on public exhibition?

Ms MANN: Sorry, is the question around whether ILGA did that or whether Liquor & Gaming did that?

The CHAIR: Liquor & Gaming, sorry.

Ms MANN: Again, I would have to get the specific details for you. It is usually our practice that we would consult with our Government colleagues that have an interest in the space in developing the draft regulation, so I would imagine that that would have happened. But I am happy to provide the details.

The CHAIR: If you could provide that on notice in terms of everybody who was consulted on the draft regulation before it was put on public exhibition—that means every organisation—that would be good.

Ms MANN: Of course.

ANSWER

Consultation was undertaken with the Office of Responsible Gambling prior to the Regulatory Impact Statement and draft regulation being released for public consultation.

Liquor & Gaming – review of the gaming machines regulation

The CHAIR: In terms of the changes, they were reasonably minor, you would agree?

Ms MANN: Yes.

The CHAIR: For example, one of the changes was to remove wall clocks from gambling rooms. Do you know what evidence was relied upon for that particular change?

Ms MANN: Again, I would have to take that on notice, but what I can say is that most people have their mobile phones now and use that to check the time. It is very rare that people rely on clocks, although there is one at the back of this room that I can see. But I am sure that very few people in this room would be relying upon it.

The Hon. SHAYNE MALLARD: I look at it all the time. Our eyes are stuck to it all the time, don't you worry.

The CHAIR: We all do.

Ms MANN: Oh, you are? Okay. There you go. So I am wrong in this case, but I do know that in the venues we are speaking of people would ordinarily not be relying on clocks.

The CHAIR: What is the evidence?

Ms MANN: In terms of the evidence, I will get you that information in terms of what was relied upon.

The CHAIR: Yes. The organisations that are concerned with a focus on reducing gambling harm, or at least the submissions I have read relating to the regulations, all suggest that those clocks should be maintained in gambling rooms and the cost of doing so, considering they are already there, of course, is minor. They suggested to keep the clocks there.

Ms MANN: Again, I will take that on notice.

ANSWER

Regulatory Impact Statements encourage stakeholder discussion on specific objectives and proposals of the regulatory framework. While the process considers the current level of regulation, the Regulatory Impact Assessment process is intended to ensure that regulatory obligations are only imposed where the benefits of regulation outweigh the costs, even when the costs are marginal.

There is a lack of evidence to substantiate the benefits of wall clocks as a harm minimisation measure. The 2015 *Gambling Harm Minimisation Report* noted that there were limited studies evaluating the impact of clock displays from a harm minimisation perspective. Submissions to the Regulatory Impact Assessment process did not point to new evidence that clocks provided a positive harm minimisation outcome in venues.

Consistent with the findings of the 2010 Productivity Commission Inquiry Report 'Gambling', the NSW Government imposes comprehensive evidence based harm minimisation obligations on venues to ensure that there are appropriate measures in place to effectively manage harms associated with gaming machine use.

The Productivity Commission Report found that as a harm minimisation measure, mandatory clock displays are questionable as they do not directly address dissociation and replicate what is already in place on people's watches, phones and the machines themselves. The report concluded that venues should accord a lesser priority to cosmetic measures such as clocks.

Previous research indicates that any perceived harm minimisation benefits can be achieved just as effectively in other ways.

Clock displays are required on the screen of all gaming machines under the Australian/New Zealand Gaming Machine Standards 2016.

Evidence from the 2004 IPART review entitled '*Gambling: Promoting a Culture of Responsibility*' recommended that permanent on-screen clock displays should be positioned identically on every approved gaming machine. The report notes that this is more effective than clocks displayed on the wall. IPART found that as a player becomes more involved in the game, they are less inclined to turn away from the screen.

The evidence concludes that the placement of a clock display on the screen is the optimum location for player reference. In support of this, clock displays are required on the screen of all gaming machines under the Australian/New Zealand Gaming Machine Standards 2016.

Digital and ICT – digital security – cyber security

The Hon. PETER PRIMROSE: But you would agree that if the driver licence is compromised, as I understand it—

Mr KING: Whether it is paper or digital?

The Hon. PETER PRIMROSE: Whether it is paper or digital. But when we are talking about identity theft, your identity is compromised for life because you cannot change your driver licence number in New South Wales.

Mr KING: I do not know whether I would agree with that. But what I can say is that identity theft generally is a broad issue across Australia. That is one of a number of reasons why education around the protection of your information—not putting it out in certain circumstances, changing your passwords et cetera—is a core part of service delivery generally. We play a key role there in terms of customer service. But we also work very closely with organisations such as the Commonwealth Banks and banks in other areas as well. But do you also want the work that we are doing on the cyber side of things?

The Hon. PETER PRIMROSE: Yes, I will ask Mr Wells. But I want to get this very clear. If we are talking about digital licensing, as well as car licensing—

Mr KING: But I note that the issue around identity theft and stealing identities generally is broader and, in many ways when you look at, is dually around paper-based things, amongst other things, including car theft et cetera. The Digital Driver Licence is not necessarily going to be adding to that. Do you want the answer?

The Hon. DANIEL MOOKHEY: Perhaps we can get Mr Wells' contribution on notice. Sorry, we just have limited time.

ANSWER

Identity Theft is an important issue and an inherent risk for all forms of licencing.

The Digital Drivers Licence contains a number of security advantages over traditional plastic licences.

1. Access - Unlike a traditional licence, access to a Digital Drivers Licence is restricted by a login and subsequent PIN code or device authentication method. Access may be further restricted by customers through the use of security settings on their mobile device (For example, customers can choose to require a pin code to unlock their mobile phone before applications can be accessed).

2. Verification - The Digital Drivers Licence adds additional confidence for checkers through the inclusion of a QR code with Scan to Check capability, and additional back to base verification for checks by Police.

The specific question regarding the changing of drivers licence numbers applies to both traditional and digital drivers licenses and should be referred to the Department of Transport as the responsible agency for this policy.

Customer Service Commissioner – position description

The Hon. DANIEL MOOKHEY: Can you provide the position description for that on notice? Is there a position description for that?

Mr KING: There was. We can share that.

ANSWER

The position description is attached (QTON 2 - Customer Service Commissioner Position Description).

SIRA – data on bullying or harassment in the workplace

The Hon. MARK BANASIAK: There was a Federal inquiry or report done in 2016 or 2017 that seemed to insinuate that workplace bullying was on the rise. Have you seen that indication through your figures that you say you ongoingly review?

Ms DONNELLY: With mental health or psychological injury we see that there are some poorer outcomes for people. Of one concern for me is that people with psychological injury will report less satisfaction with the service they have received. They will have a slower time to get back to work. What we have seen overall is that the prevention of injury has happened faster for physical injuries than it has for psychological injury. So they are starting to become an increasing percentage of the claims that we see. Amongst the psychological injuries there is a range of different things that might be drivers. Some are around stress and some can be about bullying or harassment in the workplace. That does vary depending on industry, as well. So there is quite a rich picture there. I know that you have asked me for some data, and I am able to give you more around that if you are interested.

The Hon. MARK BANASIAK: That would be great.

ANSWER

SIRA has observed a rise in the number of workplace bullying claims in the last three years.

Number of Work-Related Harassment and/or Workplace Bullying - System	
Claim Entered Financial Year	Work Related Harassment and/or Workplace Bullying
2016/17	1,644
2017/18	1,945
2018/19	2,369
Total	5,958

SIRA - Mentally Healthy Workplaces Strategy

The Hon. MARK BANASIAK: Can you give us a preview of what that strategy looks like, or is that a state secret at the moment?

Ms DONNELLY: No, it is not. There is quite a lot of information about it. It has a number of strands. Obviously, some of it is about prevention and having ambassadors and getting out into workplaces.

The strand that my agency is leading is about return to work. I am happy to share some information about that. There is probably some detail that we can provide to you if you want us to take that on notice.

The Hon. MARK BANASIAK: Yes, that is fine. Is there a time frame? Is it an ongoing rollout? Is that what it is, or is there a set time frame when you say, "Now this strategy is implemented."

Ms DONNELLY: It is a living strategy. It was kicked off last year. We are actively bringing the agencies together, showcasing what is working and asking ourselves, "Is this working? Do we spend more money on something that is working?" It will be continually re-evaluated.

The Hon. MARK BANASIAK: Because it is ongoing, it is going to be continually re-evaluated.

ANSWER

The NSW Government's Mentally Healthy Workplaces (MHW) program launched in October 2018, aiming to reduce the burden of mental illness in NSW via supporting NSW workplaces to adopt practices across primary, secondary and tertiary intervention. The program will run until 2022.

SIRA is contributing to the MHW program through:

- SIRA Chief Executive acting in leadership role as chair of the MHW Steering Committee
- Leading the recovery @ work program under the MHW strategy.

In response to stakeholder feedback as to the needs in workplaces in NSW, and informed by the evidence base, SIRA is developing a range of projects designed to support NSW workplaces in creating positive change in mental health recovery.

The first phase of the program features three initial initiatives:

- The recovery @ work tool kit. The toolkit includes resources from Beyond Blue and R U OK? and helps to break down the recovery at work steps. We are collecting feedback via a survey asking what people would like to see in the next iteration of the toolkit
- Lived experience engagement. The formation of an engagement framework, and recovery @ work reference group will allow employers and workers to learn from the experiences of people who have lived experience with mental health issues and have recovered at work. Their voice, influence and leadership will be drawn upon to develop new mental health initiatives. Expressions of interest are now open.
- The Recovery Boost Program. The program allows people to apply for a \$50,000 grant to develop programs to assist with mental health recovery @ work. Successful projects will be shared for the benefit of all NSW Workplaces.

Liquor & Gaming – ALH Group - investigation into two venues on the North Coast of New South Wales

The Hon. DANIEL MOOKHEY: Which one of these penalties are you seeking? Or all of them?

Ms MANN: I would have to take that on notice. I do not have the specific complaint before me.

The Hon. DANIEL MOOKHEY: Is it possible that you would be able to get this information to us this afternoon?

Ms MANN: Of course.

ANSWER

The answer to this question was provided in the afternoon session of the hearing.

Liquor & Gaming – ALH Group - investigation into two venues on the North Coast of New South Wales

The Hon. DANIEL MOOKHEY: Did you identify this practice as being engaged in elsewhere in venues owned by that group?

Ms MANN: No. So the complaint is in relation to those two, which is where the evidence was.

The Hon. DANIEL MOOKHEY: Over what period of time was that wider investigation undertaken?

Ms MANN: So my understanding is that the report was made in February. ALH self-reported to us on 4 July 2018 and the investigation continued until we settled it and lodged that complaint, as I said, on 18 June 2019.

The Hon. DANIEL MOOKHEY: Right. So that is the point at which it terminated. Just how many inspectors were involved in that investigation?

Ms MANN: I could not tell you off hand.

The Hon. DANIEL MOOKHEY: Could you take that on notice?

Ms MANN: We had a dedicated, experienced team dedicated to it. But I can certainly take that on notice.

ANSWER

The answer was provided in the afternoon session of the hearing.

Liquor & Gaming – ILGA delegations

Ms MANN: It has been recently updated and I can recall perhaps two or three occasions in my tenure where it has been updated. But I can get the exact numbers for you if you would like them.

The Hon. DANIEL MOOKHEY: Yes. Was it circa 14 August this year?

Ms MANN: That sounds about right.

The Hon. DANIEL MOOKHEY: Okay. And what powers did you receive?

Ms MANN: Under the new delegations manual?

The Hon. DANIEL MOOKHEY: Yes.

Ms MANN: The manual is this thick, so I would have to get the details on notice.

The Hon. DANIEL MOOKHEY: On notice, is that possible?

Ms MANN: Yes.

ANSWER

All of the powers and functions referred to in the current Delegations Manual (dated 14 August 2019) are delegated to Ms Natasha Mann as the Executive Director of Liquor, Gaming & Racing. Many of these powers and functions are also delegated to officers at lower grades, ranging from Directors to Compliance Officers, depending on the nature and complexity of the power or function delegated.

The Delegations Manual has been amended five times in the previous three years to reflect changes to regulation, internal structures and emerging regulatory priorities.

Liquor & Gaming – inspectors

The Hon. DANIEL MOOKHEY: Do you have vacancies currently?

Ms MANN: We generally do hold vacancies across the entire organisation.

The Hon. DANIEL MOOKHEY: How many vacancies for inspectors are there currently?

Ms MANN: I think I would need to take that on notice.

The Hon. DANIEL MOOKHEY: Are you engaging in any further recruitment right now?

Ms MANN: Sorry?

The Hon. DANIEL MOOKHEY: Are you engaging in any further recruitment right now?

Ms MANN: Recruitment in the inspector space? There may be, but I would have to take that on notice.

ANSWER

There is no open recruitment activity at present.

Liquor & Gaming – site inspections

The Hon. DANIEL MOOKHEY: On notice, is it possible to get the 953 broken down by the categories that you just described—the category that you think is relevant?

Ms MANN: Of course, yes. Happy to do that.

ANSWER

Liquor & Gaming NSW compliance inspections are aligned to set regulatory priorities. The regulatory priorities for 2018-19 were:

- Online and express alcohol delivery
- Precincts and surrounding areas
- Regional areas, events and festivals
- Oversight by governing bodies
- Responsible conduct of gambling
- Gambling related advertising and inducements
- Gambling exclusion schemes
- Casino internal controls

Liquor & Gaming NSW conducts its inspection activity using a risk-based and intelligence led approach to identify times, locations and venues for inspection to realise the maximum benefit from its

limited resources. A table which breaks down number of onsite inspections by local government area is as follows:

Council	No.	Council	No.
Albury City Council	1	Lake Macquarie City Council	1
Ballina Shire Council	5	Lane Cove Council	3
Bathurst Regional Council	8	Liverpool City Council	4
Bellingen Shire Council	1	Maitland City Council	8
Blacktown City Council	13	Mid-Coast Council	1
Blue Mountains City Council	1	Muswellbrook Shire Council	1
Burwood Council	2	North Sydney Council	12
Byron Shire Council	34	Northern Beaches Council	22
Camden Council	1	Orange City Council	11
Central Coast Council	67	Penrith City Council	16
Cessnock City Council	10	Port Macquarie-Hastings Council	2
City of Canada Bay Council	4	Port Stephens Council	1
City of Canterbury-Bankstown	25	Randwick City Council	27
City of Newcastle	42	Shoalhaven City Council	1
City of Parramatta Council	18	Snowy Monaro Regional Council	33
City of Ryde Council	9	Strathfield Council	1
City of Sydney Council	294	Sutherland Shire Council	20
Clarence Valley Council	5	The Hills Shire Council	8
Coffs Harbour City Council	15	Tweed Shire Council	9
Cumberland Council	15	Waverley Council	8
Dubbo Regional Council	21	Willoughby Council	6
Dungog Shire Council	1	Wollondilly Shire Council	1
Fairfield City Council	20	Wollongong City Council	54
Georges River Council	6	Woollahra Municipal Council	18
Hawkesbury City Council	8	NO ADDRESS*	17
Hornsby Shire Council	3	TOTAL	953
Hunter's Hill Council	2		
Inner West Council	36		
Ku-ring-gai Council	1		

* No Address - 6 Australian Training providers; 3 Excluded patrons; 8 Online liquor sales

Liquor & Gaming – infringement notices and prohibitions and orders and other enforcement action

The Hon. DANIEL MOOKHEY: That would be helpful. You have got the ability to issue infringement notices?

Ms MANN: Yes.

The Hon. DANIEL MOOKHEY: How many did you do?

Ms MANN: I would have to take that on notice.

The Hon. DANIEL MOOKHEY: What else can you do? Can you issue prohibitions and orders?

Ms MANN: What else can we do?

The Hon. DANIEL MOOKHEY: Can you issue prohibition orders, amongst the other remedies that are available to you?

Ms MANN: I would have to take that on notice.

ANSWER

Liquor and Gaming NSW uses penalty notices as one of a range of enforcement tools available to it. For the 2018/19 financial year, Liquor and Gaming NSW issued 77 Penalty notices equating to \$66,550 in fines.

Other enforcement action available to Liquor & Gaming NSW include formal warnings; local court prosecutions; disciplinary complaints to the Independent Liquor & Gaming Authority; issuing directions to licensees to restrict or prohibit liquor promotions or activities and the imposition of conditions on licences.

Liquor & Gaming – money collected in penalties

The Hon. DANIEL MOOKHEY: How much money in penalties did you collect?

Ms MANN: I would have to take that on notice. I do not have that detail.

Mr KING: What was the question, sorry?

The Hon. DANIEL MOOKHEY: How much money in penalties was collected? On notice, are you able to provide us the list of the prosecution matters by name of prosecution?

Ms MANN: Yes, I think we should be able to do that.

ANSWER

The amount collected has been answered above.

A table listing prosecutions commenced, prosecutions finalised and disciplinary complaints commenced in 2018/19 is below:

Prosecutions commenced FY2018/2019			
	Commencement date	Short description	Premises/entity
1	02-Jul-18	Licensee permit intoxication on licensed premises Licensee/employee supply liquor to intoxicated person	Kent Hotel
2	02-Jul-18	Licensee/employee supply liquor to intoxicated person	Kent Hotel
3	06-Jul-18	Licensee permit staff to supply liquor without recognised competency card x2 Licensee allow minor to supply liquor x2	Coast Bar & Restaurant
4	16-Jul-18	Display gambling sign outside vicinity of hotel x2	Oxford Hotel
5	27-Jul-18	Licensee supply liquor not in accordance with authority – operating as a bar contrary to primary purpose to that of a restaurant x2	Little Jack Horner
6	06-Sep-18	Licensee permit intoxication	Victoria Hotel
7	05-Oct-18	A person the subject of an exclusion order must not enter a casino to which the order relates	Excluded patron - The Star
8	11-Oct-18	Licensee fail to comply with conditions of licence x3	Dollhouse Nightspot
9	08-Nov-18	Licensee permit intoxication on licensed premises	Hotel Illawarra
10	16-Nov-18	Licensee permit intoxication on licensed premises Licensee permit staff to supply liquor without recognised competency card x5	Elephant & Castle
11	29-Nov-18	A person the subject of an exclusion order must not enter a casino to which the order relates	Excluded patron - The Star
12	01-Dec-18	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportchamps
13	03-Dec-18	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportsbet
14	22-Jan-19	Published gambling advertising that offered an inducement to participate in a gambling activity	NEDS (Bing search)
16	04-Feb-19	Published gambling advertising that offered an inducement to participate in a gambling activity	PointsBet
15	04-Feb-19	Published gambling advertising that offered an inducement to participate in a gambling activity	PlayUp Interactive Pty Ltd
17	08-Feb-19	Fail to immediately remove minor from gaming machine area of a club	Mount Pritchard District Community Club
18	28-Mar-19	Published gambling advertising that offered an inducement to participate in a gambling activity x10	Ladbrokes Digital Australia Pty Ltd
19	28-Mar-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Tab Pty Ltd
20	30-Apr-19	Published gambling advertising that offered an inducement to participate in a gambling activity x6	NEDS (Instagram & Facebook)
21	07-May-19	Published gambling advertising that offered an inducement to participate in a gambling activity x2	Betchoice Corporation Pty Ltd (Unibet)
22	24-Jun-19	Licensee permit intoxication on licensed premises	Thredbo Alpine Hotel
23	27-Jun-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportsbet

Prosecutions Finalised			
Completion Date	Short description	Premises/entity	Result

1	18-Jun-19	Licensee fail to comply with conditions of licence x3 - Mr Ulysses Flevotomos	Dollhouse Nightspot	Convicted Fined \$5000 and costs of \$10,000
2	03-Jul-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Tab Pty Ltd	Convicted Fined \$10,000 and costs of \$4010.60
3	11/02/2019 APPEALED 12/07/2019	Licensee permit intoxication on licensed premises - Mr Campbell Gibson	Elephant & Castle	Convicted Fined \$2500 and costs of \$3000 APPEAL – conviction upheld, further costs of \$1500
4	20/08/2018 APPEALED 03/06/2019	Licensee supply liquor not in accordance with authority – operating as a bar contrary to primary purpose to that of a restaurant - Mr Benjamin James Dewson	5 Sawyers	s10(1)(b) APPEAL – conviction and fine quashed, costs upheld totalling \$5900
5	08-May-19	Licensee permit staff to supply liquor without recognised competency card x2 Licensee allow minor to supply liquor x2 - Mr Alain Alpha	Coast Bar & Restaurant	Convicted Fined \$2500 and costs of \$17,198
6	30-Apr-19	Published gambling advertising that offered an inducement to participate in a gambling activity	PlayUp Interactive Pty Ltd	Convicted Fined \$7500 and costs of \$3000
7	09-Apr-19	Published gambling advertising that offered an inducement to participate in a gambling activity	PointsBet	Convicted Fined \$20,000 and costs of \$2500
8	03-Apr-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportchamps	Convicted Fined \$2500 and costs of \$3250
9	07-Mar-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportsbet	Convicted Fined \$10,000 and costs of \$7352.40
10	04-Feb-19	Excluded patron enter casino	Excluded Patron	s10(1)(b)
11	25-Jan-19	Licensee permit intoxication on licensed premises - Ms Wendy Sims	Hotel Illawarra	Convicted Fined \$2500
12	07-Jan-19	Excluded patron enter casino	Excluded Patron	s10(1)(b)
13	08-Nov-18	1. Licensee permit intoxication on licensed premises 2. Licensee/employee supply liquor to intoxicated person	Kent Hotel	s10(1)(b) Conditional Release Order for a period of 12 months.
14	08-Nov-18	Licensee/employee supply liquor to intoxicated person	Kent Hotel	s10(1)(b) Conditional Release Order for a period of 12 months.
16	10-Sep-18	Display gambling sign outside vicinity of hotel x2 - Mr Robert Doran	Oxford Hotel	Convicted Fined \$6000 and costs of \$2907
15	03-Oct-18	Published gambling advertising that offered an inducement to participate in a gambling activity	Race Media (betting.site)	Convicted Fined \$2200 and costs of \$1650
17	25-Jul-18	Published gambling advertising that offered an inducement to participate in a gambling activity	Sportchamps	Convicted Fined \$2000 and costs of \$1617
18	20-Feb-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Ladbrokes Digital Australia Pty Ltd	Appeal upheld
19	14-May-19	Published gambling advertising that offered an inducement to participate in a gambling activity	Ladbrokes Digital Australia Pty Ltd	Withdrawn
20	12-Jul-18	Published gambling advertising that offered an inducement to participate in a gambling activity	William Hill	Withdrawn

Disciplinary Complaints to ILGA Commenced FY2018/2019			
Lodgement Date	Short description	Premises/entity	Result
18/06/2019	Free alcohol was being provided to gaming patrons as an inducement to gamble.	South Tweed Tavern	Ongoing
18/06/2019	Free alcohol was being provided to gaming patrons as an inducement to gamble.	Westtower Tavern	Ongoing
27/05/2019	The club encouraged misuse or abuse of gaming.	Dee Why RSL	Ongoing
31/08/2018	Trading contrary to authority- Licensee	Smithfield Cellars	Ongoing
31/08/2018	Trading contrary to authority- Close Associate	Smithfield Cellars	Ongoing
10/01/2019	Permit intoxication	The Star	\$7500 penalty
26/03/2019	Permit minor to enter casino	The Star	\$7000 penalty
1/04/2019	Permit intoxication	The Star	\$7500 penalty
31/05/2019	Permit minor to enter casino	The Star	\$8000 penalty

Liquor & Gaming – live entertainment venues

The Hon. JOHN GRAHAM: What has happened to the 669 venues? Why do you consider they no longer have restrictions on entertainment?

Ms MANN: My understanding is that figure was not correct at the time but the correct figure is 100.

The Hon. JOHN GRAHAM: Okay. I invite you to, on notice, explain what the issue was with the previous advice.

Ms MANN: Of course.

The Hon. JOHN GRAHAM: Are you able to tell us now what the mistake was?

Ms MANN: I do not—but I am happy to take it on notice.

The Hon. JOHN GRAHAM: I would be happy if you did that on notice. Are you aware of concerns from operators that while this was a free process, by going into it they might open up consultation either from regulatory authorities or from the community about their other licence conditions?

Ms MANN: We did hear those concerns, yes.

ANSWER

As at 7 September 2018, there were 94 venues identified with entertainment prohibitions (on entertainment, live entertainment and/or live music), and 575 venues identified with entertainment restrictions (on the conduct of live entertainment/music, certain music genres, locations and times at which live entertainment or music must cease).

Liquor & Gaming – live entertainment venues - South Dubbo Tavern

The Hon. JOHN GRAHAM: Thank you. Can you confirm, then, given the fact that there is now—you consider there is just 100, can you confirm that in the South Dubbo Tavern entertainment is still confined to solos, duos, small cover bands and country and western music, and that no large rock bands or the like are to provide entertainment?

Ms MANN: I do not have the details of that particular venue but I am happy to take that on notice.

ANSWER

The following condition is on South Dubbo Tavern's licence:

- Entertainment is to be confined to solos, duos, small cover bands and country and western music - no large rock bands and the like are to provide entertainment.
- All doors and windows of the entertainment area are to be closed when entertainment is to be provided.
- The standard noise emission control condition imposed by the Liquor Administration Board will apply to the premises with the added stipulation - 'that the sontec noise level monitor is to be set on linear not dB (A) with a maximum level of 105 dB at 5 metres from the PA systems'.

South Dubbo Tavern did not request a review of the condition during the recent free live music condition review period.

The licensee can apply to revoke the condition at any time for a fee of \$110.

Corporate Services – GovConnect overpayments and underpayments

The Hon. DANIEL MOOKHEY: That is very useful, Mr Gould. How many complaints has GovConnect received for underpayment issues?

Mr KING: Mr Gould, do you have that?

Mr GOULD: No, I do not. I would have to take that on notice.

The Hon. DANIEL MOOKHEY: Do you have similar figures—I presume you will not—for overpayment issues?

Mr GOULD: No. Again, I would have to take it on notice.

ANSWER

505 payroll error tickets were raised over 12 months, of which 200 tickets were regarding underpayments since October 2018.

Corporate Services – GovConnect overpayments to public servants

The Hon. DANIEL MOOKHEY: How much money has currently been overpaid to public servants that is being recovered?

Mr GOULD: Again, I would have to take it on notice. It is at a point in time because obviously it is a moving feast.

The Hon. DANIEL MOOKHEY: Do we have how much was recovered in the last financial year?

Mr GOULD: Again, I would have to take this on notice.

The Hon. DANIEL MOOKHEY: Can we get the trend analysis for the last three years in respect to the quantum of underpayments and overpayments?

Mr GOULD: Yes.

The Hon. DANIEL MOOKHEY: Can we get a percentage of how much overpayments have been paid back?

Mr GOULD: Yes.

The Hon. DANIEL MOOKHEY: Can we get an average as to how much each overpayment is as well?

Mr GOULD: Average, yes.

The Hon. DANIEL MOOKHEY: And also the amount of time a worker is given to pay back? Is that possible?

Mr GOULD: Yes.

The Hon. DANIEL MOOKHEY: And can we get any other information you think might be tangentially relevant or arising from poor discretion? Thank you.

ANSWER

Percentage of the overpayments paid are 0.197% of the total payroll for the past 3 years.

\$1,341,038 has been overpaid that is still being recovered. Last financial year \$757,155 was recovered.

Trend analysis for the last three years in respect to the quantum of underpayments and overpayments:

Financial Year	Net Overpayment Amount (Financial Year to Date)	Overpayments Occurrences	Average Overpayment Value	Recovered Amount	Balance Outstanding
17/18	\$837,578	344	\$2,434.82	\$552,693	\$284,885
18/19	\$1,534,780	587	\$2,614.62	\$757,155	\$777,625
19/20 (6 pay runs in the FYTD)	\$380,125	145	\$2,621.55	\$128,597	\$251,528

In terms of the amount of time given to employees to repay overpaid money, each individual case is different. Depending on the amount overpaid and the circumstances of the individual the duration of time given to repay overpayments changes. Ideally most employees repay their overpayment within the Financial Year.

Corporate Services – GovConnect service level agreement - category called ‘critical incidents’

The Hon. DANIEL MOOKHEY: How many incidents were received of this designation in the past 12 months?

Mr GOULD: Again I would have to take it on notice.

The Hon. DANIEL MOOKHEY: Can we get a description as to what they were?

Mr GOULD: Yes. I do not think the term is actually "critical", but it is high importance. I get what you are saying.

The Hon. DANIEL MOOKHEY: Again, I will leave the lexicon to you, Mr Gould, but it would be useful if we could get that. It is the case that when GovConnect was established, targets were committed to the amount of work that should be performed onshore and offshore, is that correct?

Mr GOULD: Yes

ANSWER

There is a Critical Incident category for both ITO (Information Technology Outsourcing) and BPO (Business Process Outsourcing) tickets.

In the past twelve months:

INCIDENT S	Sep -18	Oct -18	Nov -18	Dec -18	Jan -19	Feb -19	Mar -19	Apr -19	May -19	Jun -19	Jul -19	Aug -19	Total
P1	1	4	3	2	1	0	1	1	0	1	4	1	19
P2	6	5	11	9	6	7	5	7	10	4	10	7	87
Total	7	9	14	11	7	7	6	8	10	5	14	8	106

P1 – Critical: Mission-critical business functionality or entity down. Impact to one or more critical services other than during Scheduled Maintenance.

P2 – Major Impact: Critical application incidents. Impact means degradation to one or more critical services or the loss of service to a development environment other than during Scheduled Maintenance.

Corporate Services – DFSI WHS Framework

Mr DAVID SHOEBRIDGE: I have to say that it sounds like a terrible bureaucratic black hole that this has fallen into—42 documents produced by a consultant, some of them your own documents. They are put on consultation. Consultation says they should not be adopted in their current form. Can you tell me how many of them have been adopted in an amended form to date, Mr Gould?

Mr GOULD: No, I would have to check that. That presupposes there was nothing prior to that and I think in most cases there would have been a previous policy. This was an attempt to update those.

Mr DAVID SHOEBRIDGE: But that attempt has failed, is that a fair summary?

Mr GOULD: No, some have been implemented, but I will need to come back to you as to which ones have or have not.

ANSWER

Staff feedback as a result of the consultation process, assisted the department in developing new workplace health and safety polices. There are 8 documents that have been adopted in an amended form.

Corporate Services – DFSI WHS Framework

Mr DAVID SHOEBRIDGE: Would it be a fair characterisation of the response you got that there was scathing feedback upon these documents and very real concern that the consultation provisions in the Work Health and Safety Act were not being complied with in that process, Mr Gould?

Mr GOULD: I could not answer that directly. I was not directly involved, but I can take that on notice.

Mr KING: Noting again that obviously that pre-dates ourselves. I think that was 2018, all those documents.

Mr DAVID SHOEBRIDGE: I am not cavilling with it being taken on notice, Mr King, if you were not there.

Mr GOULD: There is a plan in place. I do not want you to come away with the image or the picture that there is not a plan in place.

Mr DAVID SHOEBRIDGE: I do not need to come away with anything, Mr Gould. You can take it on notice and tell me what is in place.

Mr GOULD: All right. Sure.

Mr DAVID SHOEBRIDGE: I think that is a better solution rather than me trying to guess at the gaps.
Mr KING: Yes, we are more than happy to. It is a very important area of what we deliver.
Mr DAVID SHOEBRIDGE: And in doing that can you advise what the formal consultation processes were with both work health and safety representatives, and the union in putting that current process in place?
Mr GOULD: Sure.

ANSWER

Consultation occurred in several ways. The policies were posted on the intranet for a period of 6 weeks for staff to review and make comment. Meetings were held with staff. The unions were also included in the consultation process and provided comment.

The Department listened to the feedback from staff and amended the approach to the development of the WH&S policies.

Digital and ICT – staff declared excess

Mr DAVID SHOEBRIDGE: No. I understand that five staff were declared excess and terminated on or around 19 June this year.

Mr KING: Digital and ICT?

Mr DAVID SHOEBRIDGE: Correct.

Mr KING: In Gosford?

Mr DAVID SHOEBRIDGE: Correct.

Mr WELLS: Thanks for the question. There is a restructure management plan in place now for the changes post-machinery of government. I would have to take that particular example on notice to just check what that related to.

ANSWER

The answer to this question is publicly available in the Minister for Customer Service budget estimates hearing transcript.

Corporate Services – Restructure Management Plan (particularly for Digital and ICT)

Mr DAVID SHOEBRIDGE: Can you also advise whether or not, if there was one in place, it was circulated to the staff affected by the restructure and/or circulated to the Public Service Association?

Mr WELLS: Yes, I will confirm that.

Mr DAVID SHOEBRIDGE: Can you, on notice, confirm whether or not it was five staff who were declared excess and were terminated or if the number is different?

Mr KING: We will confirm, yes.

Mr DAVID SHOEBRIDGE: And if there were any other staff losses at or about the time other than by staff being declared excess or terminated?

Mr KING: Sure.

ANSWER

As Mr Wells explained in the Hearing, the changes made in November 2018 were a small realignment of existing functions, and while affected employees were managed in accordance with the NSW public sector's policies for managing excess employees (available on the Public Service Commission's website at: <https://www.psc.nsw.gov.au/employment-portal/leaving/workforce-transition/workforce-transition>), a formal restructure management plan was not required.

SIRA – circulars and formal communications with other government agencies

Mr DAVID SHOEBRIDGE: But more fundamentally—of course meet with Mr Little and work with the PSA—you need to be advising the government agencies, don't you? Have you issued a circular to government agencies, to the various departments, to say, "You have an obligation to pay full freight for the hours worked by staff who are returning to work with an injury." Have you issued that circular to agencies?

Ms DONNELLY: I have not issued a circular. I am happy to take on notice what communication we have had with agencies.

Mr DAVID SHOEBRIDGE: I am sorry. I got distracted by the bell. Did you say you are happy to take on board issuing the circular?

Ms DONNELLY: I am certainly happy to consider that. My answer was that I am not aware of us having issued a circular, but I am happy to take on notice what communication we have had with agencies.

Mr DAVID SHOEBRIDGE: But I assume that the SIRA has a contact list of the various key contact points that deal with workers compensation matters across the public sector agencies.

Ms DONNELLY: We most certainly do and we do have communication. What I want to take on notice is to come back to you with what the communication has been.

ANSWER

SIRA received communication from the Public Service Association (PSA) about the matter.

SIRA will issue guidance for employers and insurers.

SIRA – audit of other government agencies and payments to workers

Mr DAVID SHOEBRIDGE: And will that include a request to the various public sector agencies to do an audit or review of payments made to workers who are in that situation—who are injured and have returned to work but are working less than 15 hours after the 12 weeks?

Ms DONNELLY: I am very willing to consider that and try to take that, and we could do that, yes

Mr DAVID SHOEBRIDGE: Ms Donnelly, it is actually not that complex. It appears that the Government is docking workers' wages by 20 per cent illegally, and is doing that because it thinks it can because of the provisions of the Workers Compensation Act. That is quite a simple thing. It is deeply wrong, but it is relatively simple, is it not?

Ms DONNELLY: Why don't I take—I am happy to take on notice what action we have taken and to what extent we understand the problem is occurring. I am very willing to consider taking further action.

ANSWER

While SIRA has not been made aware of such practices, further guidance will be issued to employers' insurers and on the application of this section of the act.

SIRA – Catholic Church Insurance Limited and Veolia Environmental Services (Australia) Pty Limited

Mr DAVID SHOEBRIDGE: Thank you, Ms Donnelly. Ms Donnelly, both Catholic Church Insurance Limited and Veolia Environmental Services (Australia) Pty Limited were notified of SIRA's intention to impose new licence conditions for their workers compensation licences. What were the breaches or issues in respect of both of those entities that led SIRA to state an intention to impose new licence conditions? What were the proposed new licence conditions?

Ms DONNELLY: I will just see whether I have that in my notes. I cannot recall, but I certainly will be able to get someone to email me the information, if the team could do that.

Mr DAVID SHOEBRIDGE: All right. If we can, we will have the joy of another round of this, Ms Donnelly, if the information comes at some point this afternoon; otherwise, you can take it on notice.

Ms DONNELLY: Yes, of course.

Mr DAVID SHOEBRIDGE: Catholic Church Insurance Limited was also issued with three penalty notices with respect to non-compliance with claims management practices within its portfolios. Were those two issues linked—the issuing of penalty notices and the intention to impose a new licence condition?

Ms DONNELLY: My understanding is that they are, but I am happy to confirm.

Mr DAVID SHOEBRIDGE: Again, could you provide the details of what the penalty issues were.

Ms DONNELLY: Yes.

ANSWER

The breaches by Catholic Church Insurance Limited and Veolia Environmental Services (Australia) Pty Limited related to the provision of timely and accurate data.

The special licence condition that is being proposed is being finalised and will require improved timeliness and accuracy of claims related data submitted to SIRA and provide for increased oversight by SIRA.

The identification of the breaches that led to the issuing of penalty notices against Catholic Church Insurance Limited arose from the same compliance initiative that identified the data breaches. The alleged breaches were for failing to make liability decisions within legislated timeframes. SIRA notes that the alleged breaches may be subject to an administrative appeal and review by the Courts.

SIRA – icare civil penalties

SHOEBRIDGE: There were 24 separate occasions where I think icare was issued with civil penalties, or had civil penalties imposed upon it for failure to commence weekly payments in accordance with its obligations under the Act.

Ms DONNELLY: Yes.

Mr DAVID SHOEBRIDGE: What was the longest period that there was a failure during which a worker was left without payments?

Ms DONNELLY: Some of those periods were not long. I do not have with me the details, but we certainly can get the details about what the longest period was for that delay.

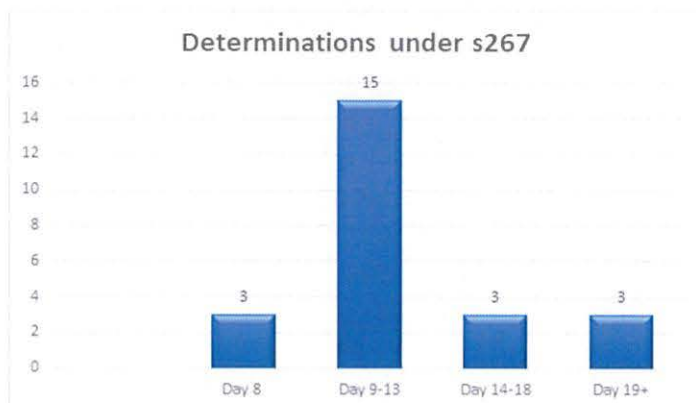
Mr DAVID SHOEBRIDGE: If you could give details, any further details you can, about the 24 breaches and what the total quantum of the civil penalties was.

ANSWER

The quantum of the civil penalties issued was \$132,000 (\$5,500 for each of the 24 breaches).

The longest timeframe from notification of injury to insurer decision to commence weekly payments under the WC legislation was 47 days from notification of injury.

The graph below outlines the timeframes for the 24 breaches:



SIRA – home building compensation insurance

The Hon. MARK BANASIAK: I will just skip to a question you might have to take on notice. How many claims have been made against small builders, say with a turnover of under \$3 million? How does that compare to medium and large builders, I guess over a period of three years? Have we seen an increase in claims being made against small builders, medium builders or large builders?

Ms DONNELLY: I think I would need to take that on notice.

ANSWER

There were a total of 534 claims made against small builders (eligibility under \$3 million) in the last three years.

Claims from small builders represent 46% (534 out of 1,150) of all claims.

Small builders represent 86% (48,676 out of 56,327) of builders with Home Building Compensation Eligibility.

SIRA – building insurance

The Hon. MARK BANASIAK: You might need to take this on notice: You mentioned other insurance products that builders might be able to access. What ones would fit in this category, in terms of above three levels, and provide that adequate protection for both the builder and obviously the people who are purchasing these buildings? Is there anything that currently fits into that space?

Ms DONNELLY: I will make a couple of comments. I am happy to take it on notice. Firstly, you can have the occupants of a building having taken out an insurance policy after the build.

ANSWER

There are various insurance products available to builders including domestic building insurance, professional indemnity insurance, public liability insurance and structural defects/builders' indemnity insurance.

In addition, the NSW Government introduced the Strata Building Bond and Inspections Scheme as a way to rectify defective building work early in the life of new high-rise strata buildings. From 1 January 2018, buildings over three storeys are subject to the mandatory scheme, under which a bond of two percent of the contract price is held for up to three years as security against defective building work. Information about the Scheme is available on the NSW Fair Trading website: <https://www.fairtrading.nsw.gov.au/housing-and-property/strata-building-bond-and-inspections-scheme>

SIRA – insurance premiums

The Hon. DANIEL MOOKHEY: Yes, I accept that, but when is the next premium due for your consideration?

Ms DONNELLY: I might need to check that. What I can say is I know that there is premium information that is available publicly about what icare is planning to do subject to that. It will be continuing to implement riskbased pricing and adjustments up to 2021.

ANSWER

The [Home Building Compensation \(Premium\) Insurance Guidelines](#) require licensed insurers to provide a premium filing every 12 months at a timeframe agreed with SIRA, unless SIRA authorises the licensed insurer to continue offering the currently filed premiums.

The most recent premium filing for icare HBCF was approved on 29 March 2019. Therefore, icare HBCF must next file its proposed premiums by 29 March 2020 (unless SIRA authorises otherwise).

Despite this, a licensed insurer may submit a revised filing to SIRA at any time; and SIRA may require a licensed insurer to lodge a new filing at any time, subject to a notice period of eight weeks.

SIRA – insurance premiums

The Hon. DANIEL MOOKHEY: So it flagged with us—I think two weeks ago from tomorrow—that its actuarial assessments are that premiums for this product will be rising by 40 per cent in the next insurance premium cycle. Has it informed SIRA of that view and have you approved that?

Ms DONNELLY: I might need to check. That might be an overall position. My understanding is that there are some categories that have not been increasing. Particularly the multistorey, multi-unit dwellings are the ones that are high risk and at this point are not fully risk-based pricing. It has signalled its intention. We have assessed the filing for the prices that are in the market now. It will need to resubmit—even though there is sort of a forward signal we do not approve the pricing years in advance.

ANSWER

This information is publicly available.

Customer, Delivery and Transformation – ‘NSW Government Brand and Communications’

The Hon. PETER PRIMROSE: On notice, can you give us a breakdown of how many staff Vacancies—full time, part time, casual and contract—there are at the moment?

Mr MURPHY: I would have to take that question on notice.

ANSWER

There are currently 12 full time vacancies.

Customer, Delivery and Transformation – waratah emblem

The Hon. PETER PRIMROSE: Was it recently responsible for some customer testing that included questions regarding the State's waratah emblem?

Mr MURPHY: It was.

The Hon. PETER PRIMROSE: When was that research conducted and in what community?

Mr MURPHY: I will have to take the specifics of the communities on notice. But there is a piece of work being done around the waratah brand that has involved a number of focus groups in regional New South

Wales, as well as in metro areas. Those focus groups have been operating over a couple of months. I will have to get the specific dates for you.

ANSWER

Focus groups were conducted in Sydney, Parramatta, Wagga Wagga and Griffith from 29 July to 1 August 2019.

Customer, Delivery and Transformation – waratah emblem – Kantar work

The Hon. PETER PRIMROSE: What was the cost of that research? Please feel free to take that on notice.

Mr MURPHY: I might take that on notice.

The Hon. PETER PRIMROSE: Are there preliminary findings?

Mr MURPHY: The work is attempting to get a picture of the way that the community perceives the waratah brand and the value that is placed around that brand in different contexts, dealing with different parts of government. At this stage we have a very broad picture that has come out of the focus groups. But I would like to see the quantitative data collection to back up those findings.

The Hon. PETER PRIMROSE: If possible, can you give us some idea of the estimated cost of the research prior to five o'clock?

Mr MURPHY: I can do that.

The Hon. PETER PRIMROSE: Who asked for that research to be done?

Mr MURPHY: I will have to take that question on notice because that research commenced before my time in this role. I commenced in this role on 1 July with the formulation of the department. That research was already underway.

The Hon. PETER PRIMROSE: When that research report is finished will we be able to obtain a copy of that report?

Mr MURPHY: I do not see why not.

The Hon. PETER PRIMROSE: Will it be made public and placed on your website?

Mr MURPHY: I will have to take that question on notice. I am not sure what process we had intended to work through with that research when it is complete.

The Hon. PETER PRIMROSE: Please take that on notice.

The Hon. PETER PRIMROSE: Can you also please tell us how much Kantar was paid to undertake this research before, if possible, the end of this session? I am interested.

ANSWER

Engagement of business advisory services is funded from within agency budgets and reported in accordance with treasury procurement guidelines.

Corporate Services – DCS use of panel for media buying

The Hon. DANIEL MOOKHEY: Can we get the breakdown of the Customer Service cluster and your businesses for that panel by firm? Do you follow? How much is your cluster spending on each firm in that panel?

Mr KING: In terms of the media buying?

The Hon. DANIEL MOOKHEY: Yes, on notice.

Mr KING: Yes. I think we can.

ANSWER

NAME	FY18/19 SPEND
Blaze	\$307,656
Havas Australia	\$100,594
Omnicom Media Group	\$5,309,877
Universal McCann	\$2,194,673
Wavemaker	\$36,032

Digital and ICT – Critical Communications Enhancement Program - Tathra

The Hon. DANIEL MOOKHEY: Sorry, Mr Wells, we have about 10 seconds.

Mr WELLS: In the North Coast we have designed 40 sites, and 50 per cent of those will be operational in the coming six weeks. In the greater metropolitan area we have constructed 12 sites. For the priority sites—the third component of the phase we are in; and there is a fourth phase to come—there are 53 sites, of which nine have been completed and six are operational. So progressively we are implementing this and bringing them online.

The Hon. PETER PRIMROSE: When will it cover Tathra?

Mr KING: We will take that on notice.

Mr WELLS: I would have to take that on notice. I can get you that information.

ANSWER

Construction activities will commence in year 2020.

Digital and ICT – Critical Communications Enhancement Program

The Hon. DANIEL MOOKHEY: On notice, can we get a complete time line as to when you are expecting a full rollout of the program by each stage?

Mr WELLS: Yes, that is fine. We have that.

Mr KING: We will give you the Tathra one as well.

ANSWER

The Critical Communications Enhancement Program (CCEP) is expanding and enhancing the coverage of the GRN across NSW. By increasing the GRN's coverage, capacity, and resilience, the NSW Government will deliver a higher quality network that better supports mission-critical and day-to-day operations for emergency services organisations and essential service providers.

Stage 1 is complete

Stages 2 and 3 of the CCEP are being delivered concurrently and include North Coast, Greater Metropolitan Area (GMA), Priority Works and some sites within Rest of State.

Stage 4 construction will be subject of a further business case.

Corporate Services – DCS workers compensation payments

Mr DAVID SHOEBRIDGE: Mr King, I was asking some questions earlier to Ms Donnelly about the underpayment of workers when they return on partial hours on workers compensation claims. I am advised that there is a significant number of workers in your agencies who are in that exact situation, back at work, working less than 15 hours a week following a workers compensation injury and after 12 weeks post injury are being paid only 80 per cent of their wages by your agencies, rather than the full 100 per cent. Has that issue been raised with you before?

Mr KING: Not that I can recall, Mr Shoebridge, but certainly I will take that on notice.

Mr DAVID SHOEBRIDGE: Would you take it on notice and report back to us the results of your investigations?

Mr KING: For sure.

Mr DAVID SHOEBRIDGE: And in fact the nature of your investigations as well?

Mr KING: For sure. If I may though—Mr Gould, did you have anything? No. We will take that and come back.

ANSWER

SIRA advises that in all cases, a worker who has returned to partial hours/duties should be paid the entirety of the wages earned for time the worker actually worked. A worker's actual earnings should not be reduced.

This 'actual earnings' amount may then be 'topped up' by a workers compensation payment. The amount of the top-up depends on the worker's weekly payment entitlements under the workers compensation legislation.

The top-up workers compensation payment will be sufficient to bring the worker's total/aggregate income (i.e. actual earnings plus the top-up compensation payment) up to either 95 percent or 80 percent of their pre-injury average weekly earnings (PIAWE).

Whether the workers is entitled to 95 or 80 percent of their PIAWE depends on the entitlement period applying to the worker and the extent to which the worker has returned or can return to work.

In summary, workers who return to work receive all of their actual earnings plus a top up workers compensation payment if their actual earnings are less than their weekly payment entitlement under workers compensation legislation.

Salary or weekly payments are paid as per the relevant legislation, regulations and guidelines. The Department's priority is to encourage and provide an early recovery option at work as soon and as safely as possible. This is in line with the Department's 'Recover at Work Program' policy.

Digital and ICT – Critical Communications Enhancement Program

The Hon. DANIEL MOOKHEY: Do you maintain, or does the cluster maintain, a view as to when it would like to have all 675 sites operational?

Mr WELLS: I will come back to you on that, if that is okay. It depends on a couple of things. It depends on some of the technology that is changing as well in some of these sites. We might think about different ways to get to that coverage.

ANSWER

This question has been answered above.

SIRA – caretaker conventions – dashboard publishing

Mr DAVID SHOEBRIDGE: Surely the caretaker provisions, far from saying you should not publish data in an ordinary regular fashion, say those ordinary processes of government should continue, and indeed not publishing data would raise concerns in the caretaker period rather than the standard regular publishing of data.

Ms DONNELLY: I am happy to take that on notice and clarify. But my recollection of the guidelines is that there are actually restrictions on government agencies updating their websites unless it is a matter of public safety or complete public interest in the actual caretaker period, and the pre-election period, there is some guidance. If I give you an example, during the pre-election period I met with stakeholders, both unions and business. I advised them that I was undertaking a compliance and performance review of the Nominal Insurer and I did that on a level of trust that I said I want to do this as an impartial regulator, I do not want this to become information that is public and becomes political and I do not look like I am leading a neutral, impartial regulator.

That information was out there to enable those stakeholders to have time to prepare, but I did not put it on the website at that time. That is the way that I interpreted the guidelines.

Mr DAVID SHOEBRIDGE: You have said you will take it on notice how it was you came to that conclusion. Did you say that you were concerned about irregularities in the data, that perhaps—

Ms DONNELLY: Yes.

ANSWER

SIRA delayed the publication of the monthly workers compensation dashboards on its website during the pre-election period.

The *'Caretaker' conventions and other pre-election practices* published by the NSW Department of Premier & Cabinet for the 2019 general state election states that agencies should generally not add new material to their websites during caretaker period. The advice adds that material can be added where it is clearly in the public interest to do so and there is no risk that the material could be interpreted as promoting a particular party or its policies.

Given that there were concerns relating to data quality, it was decided that the publication of the dashboards would be paused until after the election period.

SIRA has resumed publishing the monthly dashboards on its website and remains committed to a program of transparent reporting on the performance of the workers compensation scheme. This includes a new open data portal that has been released to make it easier to view scheme performance over time. The portal is another way that SIRA is improving transparency and accountability in the workers compensation scheme.

Digital and ICT – Critical Communications Enhancement Program

The Hon. DANIEL MOOKHEY: In the current phase that you are funded for, which is 378, how much of that network coverage will you achieve by constructing those 378?

Mr WELLS: It is a good question. I might come back to you on that, if that is okay. I know what we have already deployed has already increased the coverage for the State by 10 per cent.

ANSWER

Construction of the funded 378 sites will provide GRN coverage to 97% of the NSW population.

Liquor & Gaming – review of the gaming machines regulation

Ms CATE FAEHRMANN: A couple of quick questions going back to you, Ms Mann. We were talking about the role that NCOSS played previously. I just want you to clarify where exactly in the new regulation is the requirement for councils to nominate not-for-profits to be consulted.

Ms MANN: Sorry, I do not have the regulation in front of me but I can provide you with the details of that on notice.

ANSWER

Clause 37(1) of the Gaming Machines Regulation.

Liquor & Gaming – review of the gaming machines regulation

Ms CATE FAEHRMANN: How are you planning to educate councils on the new system? What is the process there? If you do not know, take that on notice as well.

Ms MANN: I will take that on notice. I do know that we absolutely want to understand what the potential impact is in those local communities. If we find that this change is not giving us those answers, then we will review it again. That is absolutely the intention of the change.

ANSWER

The requirement to notify any community services organisations listed by the local council for the area of a gaming machine threshold application was part of the reforms to gaming legislation passed by the Parliament in March 2018 following the review of the gaming machine local impact assessment scheme.

As part of its implementation of these changes, L&GNSW provided a summary of the changes to all NSW councils, which include information on the enhanced community consultation requirements introduced by the Government.

Liquor & Gaming – research (that the department was undertaking into gambling harm)

Ms CATE FAEHRMANN: Is there a name for it, or is there something to refer to for us to track?

Ms MANN: Within the office it is being referred to, I think, as the—we are referring to it as "prohibited features" or "problematic features". It is something along those lines. Ms CATE FAEHRMANN: I will get you to also take it on notice, then, to provide the title in case it is different.

Ms MANN: Yes, of course.

ANSWER

"Literature review of the impact of EGM characteristics on gambling harm."

Service NSW – regional seniors transport card

The Hon. DANIEL MOOKHEY: Do you know what definition is being used for regional?

Mr KING: Regional in terms of the Seniors Card?

The Hon. DANIEL MOOKHEY: The eligibility for this card.

Mr KING: No, sorry. I do not. We will probably have to take that on notice. You are probably best to direct that to Transport. That is not us.

ANSWER

This question should be referred to the Minister for Transport and Roads.

Service NSW – regional seniors transport card

The Hon. DANIEL MOOKHEY: Did Service NSW participate in the costing of this policy for the election period with the Parliamentary Budget Office [PBO]? Did they seek your advice or have contact with you?

Mr REES: I cannot recall. I would need to take that on notice and come back to you.

ANSWER

PBO costing are the subject of consultation with all relevant agencies.

Service NSW – cost recovery

The Hon. DANIEL MOOKHEY: We have limited time. Are you recovering your costs for the products that you are distributing?

Mr REES: We have a range of funding arrangements in place. Some of those funding arrangements fully cover the cost of services. Other funding arrangements do not.

The Hon. DANIEL MOOKHEY: How many do you have in place?

Mr REES: How many funding arrangements do we have in place?

The Hon. DANIEL MOOKHEY: Yes.

Mr REES: I would need to take that on notice.

The Hon. DANIEL MOOKHEY: And are you able, on notice, to tell us which ones of them you are recovering costs for and which ones you are not?

Mr REES: We can.

The Hon. DANIEL MOOKHEY: You would be happy to do that?

Mr REES: Yes.

ANSWER

Service NSW has over 48 agreements to deliver products or services with 40 NSW Government agencies or entities and 4 non-Government organisation. There are currently 69 funding arrangements in place with partner agencies and entities where Service NSW's costs are recovered.

Service NSW – additional (new) services

Mr REES: We have about 22 projects underway at the moment looking at bringing additional services in. About 12 of those relate to partnering with agencies on the various election commitments that were made by the current term of government.

The Hon. DANIEL MOOKHEY: On notice can we get the list of the 22 in the next 12 months?

Mr REES: Yes.

ANSWER

Information on Service NSW programs is available on its website. <https://www.service.nsw.gov.au/>

Service NSW – toll relief

The Hon. DANIEL MOOKHEY: That would be very useful. Can I just ask you very quickly about the Toll Relief program? How many motorists have received free registration under the Toll Relief program in each year that it was introduced?

Mr REES: Bear with me for a second.

The Hon. DANIEL MOOKHEY: Let's go with last financial year, which would be useful and then on notice since it was introduced, if it is possible.

Mr REES: The data I have in terms of the number of claims is not broken down by financial year, but 86,402 free registrations, and you will note that we introduced a second stage of that service on 1 July, which provided, I think, 50 per cent off tolls for customers who had spent \$15 or more per week on tolling. Once you incorporate the cohort that is going to receive benefit from the additional expansion of the scheme I think it goes to 300,000 eligible drivers overall.

The Hon. DANIEL MOOKHEY: And you maintain geographic data on the distribution of those benefits, do you not?

Mr REES: We would have that, yes.

The Hon. DANIEL MOOKHEY: Is it possible, on notice, for you to be able to provide us the quantum of relief by postcode, if that is possible? The amount of money paid to people who live in each particular postcode?

Mr REES: I will take that on notice and if we can we will obviously provide it.

The Hon. DANIEL MOOKHEY: I think you have previously been able to provide that data, and if you are able to provide the number of people claiming by postcode as well that would be very useful. Are you happy to take that on notice?

Mr REES: Of course.

The Hon. DANIEL MOOKHEY: Great. And can you do that in respect of the second program that you just mentioned too?

Mr REES: The second program was—

The Hon. DANIEL MOOKHEY: The one from 1 July.

Mr REES: Phase two of the Toll Relief program?

The Hon. DANIEL MOOKHEY: Yes.

Mr REES: Sure.

The Hon. DANIEL MOOKHEY: Understanding that, of course, it is in a far more nascent stage.

Mr KING: We should just say that the top 10 suburbs claiming toll relief—Mr Mookhey, do you want to know the top 10 suburbs claiming toll relief?

The Hon. DANIEL MOOKHEY: Not if it is possible to take it on notice because I am eager to get you out of here, if possible.

ANSWER

Toll Beneficiaries Claimed

FY18	86, 402
FY19	63, 594

Service NSW maintains a breakdown by location.

Corporate Services – Restructure Management Plans

The Hon. DANIEL MOOKHEY: Have you prepared any planning around the amount of restructure that would be required? For example, we went through the new operating model that is going to be contemplated in the Better Regulation space. I am not sure whether that catalyses.

Mr KING: That would be one. I will take it on notice if we have prepared any more. There would certainly be at least one more, I think, from memory.

ANSWER

For the Better Regulation realignment, considerable planning took place to determine the potential impacts and issues in relation the proposed changes. This included the development of a communication plan and staff and manager information packs to support the discussions with employees.

The proposed changes to the regulatory operating model is to co-locate by type of regulatory function. The objective is to group and harness expertise and professional interests so that they work together more collaboratively. Well-known brands such as Fair Trading, Liquor, Gaming and Racing, SafeWork, Long Service Corporation, etc, will be maintained.

Corporate Services – Restructure Management Plans

The Hon. DANIEL MOOKHEY: Who would have been consulted?

Mr KING: Who would have been consulted? I would have to take that on notice.

ANSWER

The Consultation Period for the BRD realignment recently ended in mid-September and staff feedback has been reviewed and incorporated into the proposed final organisational structure. Based on the feedback received, the BRD Executive have been working together to consider where certain functions will sit and how various functions will operate together in the future state.

It is expected the proposed final structure will be presented to all BRD employees for a final review and consultation before approval from the Secretary and implementation of the structure.

Corporate Services – Restructure Management Plans

The Hon. DANIEL MOOKHEY: Given the cluster has been formed, therefore, I can only presume that there will be multiple agencies?

Mr KING: There will be. You were asking about the number earlier where there is 25.

The Hon. DANIEL MOOKHEY: Yes, I was.

Mr KING: I am not aware that there is 25 but we will take that on notice.

The Hon. DANIEL MOOKHEY: Are you aware there are more for the next two that is currently underway?

Mr KING: There would be more.

The Hon. DANIEL MOOKHEY: On notice, you are coming back to us with precisely how many you think there are?

Mr KING: For sure, we will.

The Hon. DANIEL MOOKHEY: To the extent to which you have engaged in consultation in respect to those two, are you in a position to shed light as to when they began and what consultation you have engaged in and when that will complete and when, effectively, those restructure management plans will be finished?

Mr KING: We can. We will take that on notice.

The Hon. DANIEL MOOKHEY: You will take all of them on notice as well.

ANSWER

There are 17-25 business realignments/RMPs expected over the next 12 months.

There are currently two business realignments/RMPs that are in the initial consultation phase with staff.

The Consultation Period for the BRD realignment recently ended in mid-September and staff feedback has been reviewed and incorporated into the proposed final organisational structure. Based on the feedback received, the BRD Executive have been working together to consider where certain functions will sit and how various functions will operate together in the future state.

It is expected the proposed final structure will be presented to all BRD employees for a final review and consultation before approval from the Secretary and implementation of the structure.

Corporate Services – Regional jobs - Wollondilly

The Hon. DANIEL MOOKHEY: Is Wollondilly considered regional or is it considered Sydney?

Mr KING: We will come back on that.

ANSWER

It is considered metropolitan.

Customer, Delivery and Transformation – Brand, Digital and Communications

The Hon. PETER PRIMROSE: Mr Murphy, earlier I asked you a number of questions about the branding unit. I asked you whether it was possible to bring some material by five o'clock. Could you take those questions on notice?

Mr MURPHY: I am happy to do that.

ANSWER

These questions have been answered above.

Service NSW – Revenue NSW services performed by Service NSW

The Hon. DANIEL MOOKHEY: I will finish with this, because it arises out of what you just said. Is it contemplated that Revenue NSW call centres will be performing services for Service NSW?

Mr KING: There could be multiple options. That is part of the work. Again, we are exploring different scenarios.

The Hon. DANIEL MOOKHEY: When do you anticipate that this exploration phase will finish and we will have a service agreement between the two organisations?

Mr KING: There already is a service agreement between Revenue NSW and Service NSW. But it is an important point—

The Hon. DANIEL MOOKHEY: The subsequent question I am asking is: When do you anticipate that this will conclude and we will have a decision on these questions?

Mr KING: I do not think this will ever conclude, which we went back to on Monday. Continuous improvement, in terms of how you change your delivery mechanism, is going to be ongoing.

The Hon. DANIEL MOOKHEY: Of course. But when do you anticipate that this particular dialogue with Revenue NSW will conclude? As in, when will this particular conversation that is being had about the performance of call centre functions or the integration of call centre systems—however you wish to describe it—be concluded? Its evidence was that it anticipated it to be in the next couple of months. I am asking about what you think.

Mr KING: It could be that phase, quite possibly. But there will be other phases.

The Hon. DANIEL MOOKHEY: Of course.

Mr KING: I do not want people to think that this just stops and is finished.

The Hon. DANIEL MOOKHEY: You have made that point very clear, Mr King. I am trying to bring you to the specifics of when you think this phase—

Mr KING: This phase could be stopped in the next couple of months. But then there could be further work going on.

The Hon. PETER PRIMROSE: Rather than trying to have a conversation in the final three or four minutes that would be great. We will see you in October about the issues. I understand that a Cyber Security NSW unit has been established. Is that the case?

Mr KING: That is right. Mr Wells will explain that. I know everyone wants to go, but going back to Mr Primrose's earlier point, it will be about three months for the first phase for Revenue NSW and Service NSW.

The Hon. DANIEL MOOKHEY: Three months from now?

Mr KING: We will be precise on the date.

ANSWER

Decisions in relation to resourcing of government contact centres are yet to be determined.

Digital and ICT – Cyber Security NSW

The Hon. PETER PRIMROSE: Can I ask you the current budget?

Mr WELLS: Sure. I will come back to you on that in just a second but there are 21 people in the organisation.

ANSWER

This information is publicly available.

Digital and ICT – Identity Theft

The Hon. DANIEL MOOKHEY: A lot of MPs get those types of representations from constituents. I have been subjected to my image being digitally altered. And if you are a woman, particularly in the context of domestic violence, it is quite a common occurrence nowadays that intimate images are introduced into the public domain without consent, for example. The Parliament has made law changes, as it should. Is this agency in a position to provide any assistance to them or not?

Mr WELLS: I do not think so, but I might follow up on that, if that is all right, on notice. I think it is more around identity and the protection of the assets we have.

ANSWER

NSW government has a subscription with IDCARE managed by Cyber Security NSW. The service provides assistance and advice to customers on recovering their identities and managing the impact of stolen credentials which is managed by IDCARE.

Organisation
Addinsons Lawyers
Albury City Council
Alliance for Gambling Reform
Angela M Frost
Anglicare
Armidale Regional Council
Australian Hotels Association
Australian Leisure & Hospitality Group
Australasian Gaming Council
Back Schwartz Vaughan
Baker McKenzie
Ballina Shire Council
Balranald Shire Council
Bathurst Regional Council
Bayside Council
Bega Valley Shire Council
Bellingen Shire Council
Berrigan Shire Council
Blacktown City Council
Bland Shire Council
Blayney Shire Council
Blue Mountains City Council
Bogan Shire Council
Bourke Shire Council
Brewarrina Shire Council
Broken Hill City Council
Burwood Council
Byron Shire Council
Cabonne Council
Camden Council
Campbelltown City Council
Canterbury Bankstown Council
Carneys Lawyers
Carrathool Shire Council
Catholic Care
Central Coast Council
Centre for Gambling Research, ANU
Cessnock City Council
City of Canada Bay Council
City of Lithgow Council
City of Parramatta Council
City of Sydney Council
Clarence Valley Council
Club Managers' Association Australia
ClubsNSW
Cobar Shire Council
Coffs Harbour City Council
Coles Liquor
Coolamon Shire Council
Cootamundra-Gundagai Regional Council
Council of the City of Ryde

Organisation
Cowra Shire Council
Crown Ltd
Department of Customer Service
Department of Human Services
Department of Planning & Industry
DMD law
Dubbo Regional Council
Dungog Shire Council
Eastern Commercial Lawyers
Edward River Council
Elite Legal
Eurobodalla Shire Council
Fairfield City Council
Federation Council
Financial Counselling Australia
Forbes Shire Council
Gambling and Social Determinants Unit, Monash University
Gambling Impact Society
Gaming Technologies Association
Georges River Council
Gilgandra Shire Council
Glen Innes Severn Council
GLI Australia
Golf NSW
Goulburn Mulwaree Council
Greater Hume Shire Council
Griffith City Council
Gunnedah Shire Council
Gwynne Thompson
Hatzis Cusack
Hay Shire Council
Hilltops Council
Inner West Council
Inverell Shire Council
JDK Legal
Jenkins Legal
John de Mestre & Co Pty Ltd
Junee Shire Council
Kempsey Shire Council
Ku-ring-gai Council
Kyogle Council
Lachlan Shire Council
Lake Macquarie City Council
Lands Legal
Lane Cove Municipal Council
LAS Lawyers & Consultants
Leagues Clubs Australia
Leeton Shire Council
Liverpool Council
Liverpool Plains Shire Council
Local Government and Shires Association of NSW

Organisation
Lockhart Shire Council
Maitland City Council
Maxgaming
Mid-Coast Council
Mid-Western Regional Council
Moree Plains Shire Council
Mounties
Multicultural NSW
Murrumbidgee Council
Muswellbrook Shire Council
N Panos & Associates Solicitors
Nambucca Shire Council
Narrabri Shire Council
Narrandera Shire Council
Narromine Shire Council
Newcastle City Council
North Sydney Council
Northern Beaches Council
Northern Local Health District
NSW Council of Social Services
NSW Crime Commission
NSW Health
NSW Police
NSW Treasury
Oberon Council
Office of Local Government
O'Hara Group
Orange City Council
Parkes Shire Council
Penrith City Council
Pigott Stinson
Port Macquarie-Hastings Council
Port Stephens Council
Premier & Cabinet
Queanbeyan-Palerang Regional Council
Randwick City Council
Red Cross
Relationships Australia NSW
Responsible Wagering Australia
Richmond Valley Council
Robinson Legal
Royal NSW Bowling Association
RSL & Services Clubs Association
Salvation Army
Shellharbour City Council
Shoalhaven City Council
Singleton Council
Slater and Elias
Snowy Monaro Regional Council
Snowy Valleys Council
St Vincent De Paul

Organisation
Strathfield Municipal Council
Stronger Communities - Family & Community Services and Justice
Sutherland Shire Council
Tabcorp
Tamworth Regional Council
Temora Shire Council
Tenterfield Shire Council
The Council of the Municipality of Hunters Hill
The Council of the Municipality of Kiama
The Council of the Shire of Hornsby
The Hills Shire Council
The Royal Exchange of Sydney
The Star
Thomson Geer Lawyers
Tweed Shire Council
University of Sydney Brain & Mind Centre
Upper Hunter Shire Council
Urana Council
Wagga Wagga City Council
Walcha Council
Walgett Shire Council
Warren Shire Council
Warrumbungle Shire Council
Waverley Council
Weddin Shire Council
Wellington Council
Wentworth Shire Council
Wesley Mission
Willoughby City Council
Wingecarribee Shire Council
Wollongong City Council
Woollahra Municipal Council
Yass Valley Council



Customer Service Commissioner

Position Details

Group: Delivery & Implementation

Branch/Unit: Service NSW

Location: Sydney CBD

Position No: #

Classification & Grade: SES 6

Reports to: Director General, Premier & Cabinet

Positions reporting to this position: Executive Officer, Administrative Support

Evaluated: 10/02/12

Last revised: 10/02/12

Primary Purpose of the Position

To provide independent advice to the Premier, Cabinet and Ministers and leadership across the public sector on all aspects of customer service; to develop and drive innovative strategies to deliver quality services to the customers and clients of NSW Government services that are in keeping with the Government's Customer Service Principles.

The Government's Customer Service Principles are:

- Making customer focus a leadership issue across the NSW public sector.
- Simplifying government.
- Redesigning public service delivery to suit people, not bureaucracies.
- Devolving authority to people, communities and frontline staff.
- Creating choice and exercising contestability in provision of public services.
- Measuring results and ensuring accountability.

The Commissioner leads the development and implementation of flagship customer service improvement and is the Chair of the Service NSW Board which will be responsible for setting the strategic direction of *Service NSW* (a new government body that will directly deliver transactional services to customers). The Commissioner champions the interests and perspective of customers in policy, design, funding, delivery, measurement and improvement of services across the public sector.

This is a part-time position.

Organisation Environment

The Commissioner has the lead role in the NSW public sector to bring the interests of public service customers and the defence of public value and public interest into the decisions that affect the policy, design, funding, delivery, results and evaluation of public services.

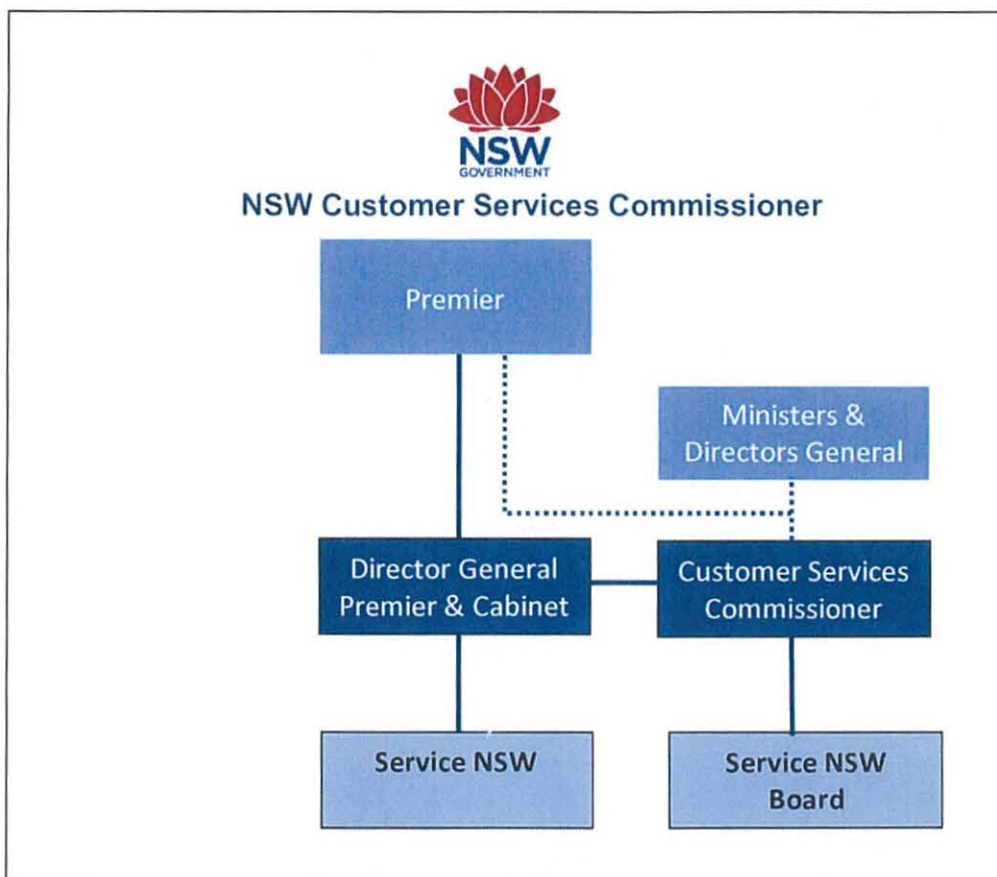
The Commissioner works with the Premier, Ministers and the Chief Executives of NSW Departments to ensure the NSW public sector develops and implements practical and sustainable ways to design, fund, deliver, measure and evaluate public services that provide a quality experience for customers and also deliver value and results for customers and communities.

The Commissioner works with Ministers and Chief Executives to develop and implement service improvement strategies that have sector wide implications, potential to create precedents, long term implications, critical or urgent priority, greater than normal opportunity, greater than normal risk, multi-agency coordination or economies of scale.

The Commissioner provides whole of government responses and advises the NSW Government on policy and operational issues which affect the public sector services individually and as a whole.

The Commissioner also guides the development and implementation of *Services NSW*, a new agency being established to deliver integrated transaction services to the people of NSW on behalf of all relevant Departments.

These working relationships are summarised in the following Figure:



Key Outcomes/Accountabilities

The functions to be undertaken by the Customer Service Commissioner will include:

- *Advising* the Premier and Ministers independently on customer service experiences and results;
- *Ensuring* customer-centred services are a strategic priority for government, by assisting Ministers to be the champions of the customer within their portfolios;
- *Consulting* with individuals, community and business organisations that represent the interests of the individual users, clients or consumers of NSW public services;
- *Developing* whole of sector policy and strategic directions and lead flagship improvement strategies and projects;
- *Measuring* government services provided by individual or multiple agencies to (i) determine the levels of customer satisfaction and dissatisfaction with those services, (ii) assess the extent to

which those services meet individual customer needs and the public interest, and (iii) set performance standards;

- *Reporting* to the public on the customer service experiences and results of services provided by individual or multiple agencies (e.g. through the State Plan);
- *Investigating* the planning, resourcing, delivering, measurement and evaluation of services by individual or multiple agencies to determine how to improve customer service experiences and results, including an audit of existing customer service provision, where service delivery falls below expected standards;
- *Reviewing* and monitoring departmental complaint handling systems, including satisfaction with the handling of complaints, to identify and resolve developing themes and systemic issues;
- *Coordinating* with other key authorities including the Public Service Commissioner and statutory bodies responsible for investigating the conduct of government agencies, such as the Ombudsman, Health Care Complaints, ICAC etc.
- *Leadership* in the establishment and operation of *Service NSW*.

Decision Making and Position Dimensions

The Commissioner operates with a high level of autonomy and is fully accountable for the accuracy, validity and integrity of the content of advice provided and work performed. The decision making required of the position includes:

- Ensuring the development and delivery of key policy initiatives, whole of government priorities and the implementation of government policy
- Maintaining strategic relationships with key stakeholders and conducting high level negotiations
- Keeping the Premier, Ministers, Cabinet, Directors General and the NSW Public Service Commissioner fully informed on issues relevant to the delivery of key agency and sector wide initiatives concerning customer service policy, funding, design, delivery, measurement and results for customers
- Chairing the *Service NSW* Board which will be responsible for setting the strategic direction of *Service NSW* ;
- Providing leadership in customer service policy development, analysis and the development and implementation of strategic solutions
- Ensuring compliance with all relevant policy, procedures, legislation and regulations
- Taking a lead role in representing the Premier and Government on relevant committees and working parties to facilitate the achievement of Government's customer service initiatives.
- Providing expert advice, in response to requests from the Premier, on matters related, but not limited, to the direct responsibilities of the Commissioner
- Responding rapidly and effectively to directives from the Premier in respect to service development and delivery issues

The Commissioner reports to the Director General of Premier & Cabinet, but is expected to make recommendations directly to the Premier and other Ministers on customer service issues.

The Commissioner will lead flagship customer service projects.

Staffing	
No. of staff reporting directly:	Executive Officer, Secretariat: Grade 11/12 Administrative Support: Grade 3/4
No. of staff reporting indirectly:	<i>Service NSW</i> : TBA

Budget	
Financial Delegation:	\$200,000
Administrative Delegations Group:	Category B
Total Budget	TBA

Key Challenges and Influences

Major challenges currently facing the position of Commissioner include:

- Achieving the NSW Government's key customer service reform objectives against a background of likely institutional and cultural resistance, changing workforce demography, the application of new technology, changing economic and social circumstances, and increased service development and delivery expectations in the community.
- Achieving positive changes based upon personal leadership, cooperation and the Premier's support while not having authority to direct the activities of a department.
- Building effective strategic relationships and partnerships with diverse stakeholders, customer advocacy bodies, community groups, and professional associations representing a broad range of interests, to ensure their optimal engagement and contribution regarding the development, implementation and evaluation of strategic medium and long term public sector service development and delivery reform initiatives.
- Identifying and delivering a strategic agenda and avoiding being captured by particular or individual customer issues.
- Maintaining up to date knowledge of a broad range of complex, public administration and service development and delivery issues including relevant technologies and identifying their potential application within the NSW public sector without control of extensive supporting resources.
- Establishing and maintaining linkages to other states in Australia to exchange information on new developments in public sector administration, customer service management and service delivery improvements, the use of new technologies (such as social media) for innovative service delivery options, and customer service performance measurement policies and practices as they related to public sector service development and delivery.
- Proactively identifying issues with the potential to affect the development and implementation of major public sector service development and delivery issues.
- Exercising sound judgement and effectively and ethically managing the influence of political issues and media scrutiny in formulating and implementing strategic policy solutions.
- Maintaining broad knowledge and understanding of service development, delivery and measurement issues affecting the State and devising approaches to their management, informed by experiences across Australia and internationally
- Ensuring compliance with all relevant policy, procedure, legislation and regulations
- Supporting clear boundaries between the frank and fearless expert advice of public servants, and the political expertise of elected office holders and their advisers

- Leading complex, multi-agency flagship projects consistent with the Government's the Simpler Government Services policy.
- Resolve and overcome potential legislative, policy, cultural or other barriers to transforming the NSW public sector to focus on customer needs.

Knowledge, Skills and Experience / Selection Criteria

- Successful leadership of customer service delivery at chief or senior executive levels, in a large or complex service organisation, preferably with significant private sector exposure.
- Superior capacity to develop and drive innovative customer service improvement solutions in a complex and politically sensitive environment.
- Exceptional consultation, communication and persuasion skills.
- Capacity to operate effectively within the machinery and requirements of the public sector.
- Qualifications or experience relevant to customer service policy, design, funding, delivery, improvement and measurement to meet the current and emerging needs of customers and communities.
- Substantial experience chairing Boards or Committees.

Further Information

- Simon Smith, Deputy Director General, Department of Premier and Cabinet, (02) 9228 3919.
- <http://2021.nsw.gov.au/>
- <http://www.dpc.nsw.gov.au/ics>
- The *Simpler Government Services* Policy (attached)
- Charter, NSW Customer Council (attached)

Certification

Manager:

Signature: _____

Name: _____

Date: ___/___/___

Position Holder:

Signature: _____

Name: _____

Date: ___/___/___