

INQUIRY INTO EMERGENCY SERVICES AGENCIES

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Dear Mr Borsak

Thank you for the opportunity to make a submission to the Legislative Council Portfolio Committee no. 4 – Legal Affairs' Inquiry into emergency services agencies.

The attached submission focuses specifically on the issue of bullying in the NSW public sector and emergency services agencies. If you have any enquiries about this submission, please contact Jim Lloyd on ph: or

Yours sincerely

24.7.2017

Graeme Head
Public Service Commissioner

LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO.4 – LEGAL AFFAIRS

INQUIRY INTO EMERGENCY SERVICES AGENCIES

SUBMISSION FROM THE PUBLIC SERVICE COMMISSIONER

JULY 2017

Submission from the Public Service Commissioner to the Inquiry into emergency services agencies

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Introduction

The Public Service Commissioner welcomes the opportunity to make a submission to the Legislative Council Portfolio Committee no. 4 – Legal Affairs' (the Committee) Inquiry into emergency services agencies (the Inquiry).

This submission focuses specifically on the issue of bullying in the NSW public sector and emergency services agencies including:

- New South Wales Rural Fire Service
- Fire and Rescue New South Wales
- New South Wales Police Force
- Ambulance Service of New South Wales
- New South Wales State Emergency Service.

Addressing bullying has been a priority in the work led by the Public Service Commissioner. Section 1 of this submission gives an overview of bullying in the NSW public sector since the establishment of the Public Service Commission (PSC) in November 2011 (see [Tab A](#) for more information about the role of the Public Service Commissioner). Trends around the prevalence of bullying in the NSW public sector are set out in Section 2 and in emergency services agencies in Section 3. This trend data is drawn from two main data sources: the *People Matter Employee Survey* (People Matter survey) and *Workforce Profile* (see [Tab B](#) for more information about these collections). Section 4 looks at the tools for understanding, preventing and preventing bullying by developing a positive and respectful workplace culture. Section 5 makes some brief observations about where the PSC is heading in its ongoing work to address bullying in the NSW public sector.

This submission reports the results from the People Matter surveys that were run between 2012 and 2016. Selected preliminary results from the 2017 People Matter survey are also included where available. This survey was conducted throughout June 2017 and detailed data analysis of the results is currently under way. The Public Service Commissioner is happy to provide supplementary information to the Inquiry on the more detailed analysis of the 2017 People Matter survey data; this analysis should be largely complete by the time of the Committee's hearings.

Executive summary

The *Government Sector Employment Act 2013* establishes the objectives, functions and powers of the Public Service Commissioner. The Commissioner provides an annual assessment of the performance of the sector based on evidence collected by the Public Service Commission. One of the instruments used to collect data is the People Matter Employee Survey (People Matter survey). This is a survey of NSW public sector employees, providing them with the opportunity to share their perceptions on a range of issues relating to organisational culture and practice. An important area covered by the survey is employee perceptions of bullying. This submission utilises the People Matter survey data for the period 2012 to 2017 (subject to the comments made about 2017 data referred to in the Introduction) to give a perspective on bullying in emergency services agencies. It uses comparisons with the public sector in general to give context to the findings.

It is important to note that trends in the rates of bullying referred to in this submission are drawn from the People Matter survey. The survey does not measure actual instances or reported cases of bullying and other behaviours, but record the perceptions of employees that respond to the survey.

The overall picture presented through the People Matter survey data is that bullying continues to trend downward across the public sector and in emergency services agencies. Between 2012 and 2017 there have been statistically significant improvements in both the proportion of employees witnessing and experiencing bullying. For the public sector as a whole those who reported experiencing bullying declined 11 percentage points from 29% (2012) to 18% (2017). The number of employees who witness bullying has also declined 15 percentage points from 48% (2012) to 33% (2017). In emergency services agencies, the level of decline in those witnessing bullying in 2017 compared to 2012 is between 7 and 15 percentage points while the decline in those experiencing bullying is between 5 and 13 percentage points.

In 2016 there were only three public sector agencies where the proportion of employees who reported experiencing bullying was above 30%; two of these agencies were Ambulance NSW and Office of the Rural and Fire Service.¹ However, the Ambulance Service of NSW had a substantial decline in bullying rates between 2012 and 2017 of 13 percentage points. Notwithstanding this reduction, it continues to have the highest residual rate of bullying amongst the emergency services agencies at around 29% of respondents. Similarly, rates of bullying are still fairly high in the Office of the NSW Rural Fire Service at 27% even though there was a decline of around 6 percentage points between 2012 and 2017. Both of these agencies are well above the other emergency services agencies, which are close to or below the public sector average of 18% in 2017.

The emergency services agencies covered in this submission can be grouped into two main areas. The Ambulance Service of NSW, Fire & Rescue NSW and the NSW Police Force all have large workforces of frontline employees that include ambulance officers, fire fighters and police officers respectively. The data collected by the Public Service Commission represents a proportion of these workforces, noting that participation in the People Matter survey is voluntary and open to all paid employees. On the other hand, the Office of the NSW Rural Fire Service and the Office of the NSW State Emergency Services have large workforces of frontline volunteers and a relatively small employed workforce. Only the employed workforce is captured in the data presented in this submission. This should be taken into account when considering the results of the different agencies.

A key factor that helps to give context to the findings is the workforce composition of the emergency services agencies. Each agency has a unique makeup that could be considered to be homogenous compared to the public sector more broadly. This, along with the high pressure environment in

¹ Complete 2017 figures for the NSW public sector are not yet available for comparison.

which most frontline employees in these agencies work, is likely to have an impact on organisational culture and as a result the incidence of bullying. The PSC has also identified eight psychosocial factors from the People Matter survey data that show correlations with reported experiences of bullying. Based on analysis of the data focusing efforts on improving areas such as performance management processes, supportive management practices and perceptions of senior leadership could have a positive impact in emergency services agencies in reducing the incidence of bullying further.

There are some other insights from the emergency service agencies data that are worth considering as they relate to bullying. One is the likelihood of employees taking sick leave as a result of bullying. In emergency services agencies and the public sector generally, around 40 per cent of employees who reported experiencing bullying say they have taken sick leave and between 5% and 14% of the same group say they have made a workers' compensation claim as a result of experiencing bullying. These outcomes can be detrimental for the delivery of key frontline services as well as having efficiency and productivity impacts.

Another finding, which is relevant to both the emergency service and public sector, is that there tend to be lower incidences of bullying where there are higher levels of employee engagement. The engagement scores for all the agencies included in the Inquiry are typically lower than the public sector average of 65%, with the exception of Fire and Rescue NSW (72%), which also has lower rates of bullying as compared to other emergency service agencies. Employees who experience or witness bullying report the perpetrator is most commonly a direct supervisor, closely followed by a peer/colleague and then senior leadership. On balance females were more likely to be the subject of bullying, with the exception of Ambulance NSW.

The 2012 People Matter survey drew attention to the prevalence of bullying in the NSW public sector and provided the impetus for the Commissioner to assist agencies to understand and act on this issue. Since then the Commissioner has worked closely with the sector to fundamentally reshape how we think about, prevent and manage bullying in the workplace. The Commissioner's Roundtable on Bullying brought sector representatives, experts and trade unions together to identify major risk factors associated with bullying. This resulted in the development and implementation of an Action Plan on bullying and the Positive and Productive Workplaces guideline. Consistent with leading practice the main focus is on increasing efforts and improving outcomes in prevention and early intervention.

The NSW public sector has come a long way in relatively short period of time in understanding the prevalence of bullying within agencies and in developing approaches to address and prevent it. The People Matter survey is now run on an annual basis and response rates have improved with each survey. A Workforce dashboard has been developed to give agencies timely access to critical data on the prevalence of bullying as well as on the psychosocial factors to be addressed to help reduce the prevalence of bullying. The Commissioner will continue to promote to agencies the value of utilising the available data and to implement strategies that focus on bullying prevention and early intervention.

1. Bullying in the NSW public sector and sector-wide initiatives

This section looks at the prevalence of bullying and efforts to tackle it in the years 2012 to 2017. The overall picture is one of improvement with a downward trend in people reporting both experiencing and witnessing bullying across the public sector including in emergency services agencies.

1.1. People Matter survey

The People Matter survey is run on an annual basis and involves the voluntary participation of NSW public sector employees. It asks those currently working for the NSW government about experiences with their own work and working with their teams, managers and organisations. It is a source of data for the Commissioner to make an assessment of government sector agency performance and provides an important resource for departments and agencies on the perceptions of employees at all levels about the strengths and gaps or problems in their workplaces. Participation in the survey has improved for each survey with a response rate in 2017 of 42% across the NSW public sector.

The 2012 People Matter survey was the first of its kind in the NSW public sector. The results of the survey showed that almost one-third (29% compared to 18% in 2017) of respondents had personally experienced bullying in the workplace and almost half (48% compared to 33% in 2017) had witnessed bullying. Also in 2012, a stocktake of ethics issues, policies and control systems in NSW public sector agencies reported bullying as being the eighth most mentioned ethical issue (out of 79) experienced by interviewees and focus group participants.²

This work sets the foundation for understanding the prevalence of bullying from an employee perspective. The Public Service Commissioner subsequently issued a formal Direction to Directors'-General (now Secretaries) and agency heads to provide information on organisation-specific approaches taken to better understand the extent of, and respond to, bullying in agencies.³ The responses showed all agencies had in place basic policies to prevent or counter bullying and had, to varying degrees, implemented their anti-bullying policies.

Since then the Public Service Commissioner has worked with the NSW government sector and other stakeholders to fundamentally reshape the way we think about, prevent and manage bullying in the workplace. Consistent with leading practice the main focus is on increasing efforts and improving outcomes in prevention and early intervention.

1.2. Commissioner's Roundtable on Bullying

The Roundtable on Bullying was convened by the Public Service Commissioner in March 2014. The Roundtable was made up of leaders from public sector agencies and unions who worked collaboratively to tackle the issue of bullying in NSW public sector workplaces. Associate Professor Michelle Tuckey from the University of South Australia and Dr Carlo Caponecchia from the University of New South Wales both assisted the Roundtable in its work.

The Roundtable set out to assist the Public Service Commissioner to identify the major risk factors associated with bullying in public sector workplaces and use this information and current research to develop guidance around strategies that work to prevent and manage the risks associated with workplace bullying.

² St James Ethics Centre 2012, *NSW public sector ethics stocktake*, <https://www.psc.nsw.gov.au/reports---data/other-publications/ethics-stocktake-report>, p.79.

³ Public Service Commissioner Direction No.1 of 2013

1.3. Action Plan on bullying

Arising from the Roundtable, the PSC developed an action plan to guide the work done to support the government sector to act early and strategically on bullying. This work has been designed to complement and support the considerable efforts that agencies, unions, sector leaders and employees already make to prevent and mitigate bullying in the workplace and aligns with work being undertaken in other Australian jurisdictions.

1.4. Positive and Productive Workplaces

In 2016 the PSC launched the *Positive and productive workplaces* guide for NSW government sector agencies to help them to prevent, identify and respond to workplace bullying.⁴ An updated guide was released in 2017. The guide has a major focus on preventing and responding early to unreasonable behaviour. It also sets out the principles for addressing incidents of bullying.

1.5. Respect. Reflect. Reset. Campaign

The Respect. Reflect. Reset. campaign is a collaboration between the PSC and agencies which produced communications materials to be delivered at the local level to promote positive, respectful and productive workplace cultures. Agencies are able to tailor their own communications campaign around the key message of Respect. Reflect. Reset.:

- Respect – respect your role and take responsibility for it
- Reflect – reflection on one's own behaviour and the behaviour of others
- Reset – reset our mind-set and reset the culture.

1.6. Code of ethics and conduct for NSW government sector employees

The Code of Ethics and Conduct for NSW government sector employees was released by the Commissioner in 2015. It sets the standards for conduct of all government sector employees and heads of government sector agencies. The Code also specifies actions to be taken if there are breaches, or allegations of breaches, of the Code.⁵

1.7. Workforce dashboard

The Workforce dashboard is a tool that gives agencies access to data from the People Matter survey and the Workforce Profile. Agencies can use the dashboard to track workforce information, bullying incidence and psychosocial factors associated with bullying. In the future there is also potential to include data on the costs associated with bullying (e.g. sick leave, turnover, tenure and engagement).

1.8. State of the NSW Public Sector Report

The *State of the NSW Public Sector Report* is the Public Service Commissioner's independent assessment of the performance, notable achievements, challenges and priorities of the NSW public sector. Since 2012, the Public Service Commissioner has given a frank assessment of progress in understanding, addressing and preventing bullying in the NSW public sector, with reference to research into best practice.

⁴ [*Positive and productive workplaces guide*](#)

⁵ [*Code of the ethics and conduct for NSW government sector employees*](#)

2. Trends in bullying in the NSW public sector

2.1. Profile of the NSW public sector

In June 2016, the NSW public sector had 393,442 employees (headcount) with the proportion of women around 64% and a median age of 45 years ⁶. Data for the 2017 Workforce Profile is currently being collected and can be provided at a later time if required.

The public sector includes a wide range of services relating to health, education, transport, justice, family support, finance, planning and environment and many other areas. Employees provide services directly to the public or work behind the scenes in research, policy, programs, clerical, corporate or other types of jobs.

The sector is structured into 10 clusters to coordinate related services. The majority of employees work in the Health (34.2%), Education (27.3%) and Justice (12.6%) clusters.

The Ambulance Service of NSW is part of the Health cluster.

Fire and Rescue NSW, NSW Police Force, the Office of the NSW Rural Fire Service, and the Office of the NSW State Emergency Service are all part of the Justice cluster.

2.2. Prevalence of bullying in the NSW public sector

Trends in the rates of bullying in the NSW public sector are drawn from the People Matter survey. It is important to note that the People Matter survey cannot measure actual instances or reported cases of bullying and other behaviours, and only records the perceptions of employees that respond to the survey.

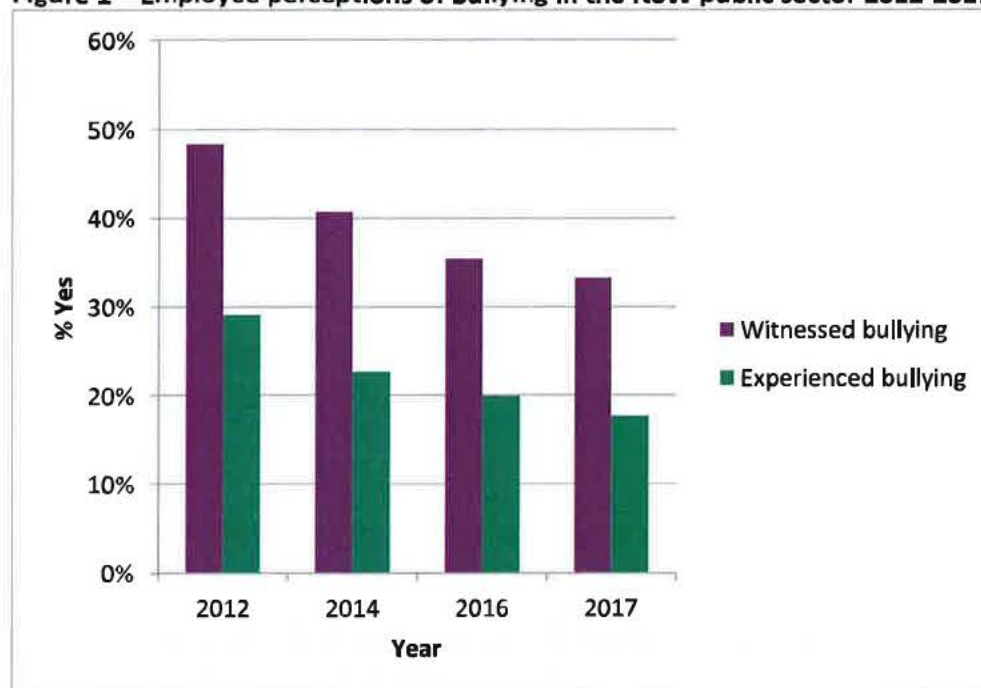
Bullying in the People Matter survey is defined as:

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. Bullying can be: intentional or unintentional; overt or covert; active or passive. Bullying behaviours include actions such as shouting and non-action such as not passing on information necessary to doing a job. Bullying should not be confused with legitimate feedback (including negative comments) given to staff on their work performance or work-related behaviour; or other legitimate management decisions and actions undertaken in a reasonable and respectful way.

There has been a downward trend in perceived instances of bullying over the 2012, 2014, 2016 and 2017 People Matter surveys (see [Figure 1](#)). The continued decrease in bullying rates is encouraging given the increase in the number of respondents to the survey over each year that it has been run (see [Table 5](#), below).

⁶ Workforce Profile 2016

Figure 1 – Employee perceptions of bullying in the NSW public sector 2012-2017



Source: People Matter survey 2012, 2014, 2016, 2017

In 2017, 18% of respondents said they were subjected to bullying in the last 12 months. This is down from 2016 where the rate was 20%. Of the respondents who responded that they were subjected to bullying to 2016, 21% submitted a formal complaint, 38% took sick leave as a result of the bullying and 4% made a workers' compensation claim.

The number and proportion of employees subjected to bullying in each demographic group is shown in [Table 1](#).

Table 1 - Employees subjected to bullying by demographic group (2016)

Group	% *
Public sector	20%
Women	21%
Men	17%
Language other than English	17%
Mental health condition	37%
Disability	34%
LGBTI (Lesbian, gay, bisexual, transgender and intersex)	25%
Aboriginal and Torres Strait Islander	28%

* Percentage of the respondents in each group who answered 'yes'; not a percentage of all survey respondents

Source: People Matter survey 2016

Immediate manager/supervisors, fellow workers and senior managers are most frequently cited as the source of bullying (see [Table 2](#)).

Table 2 - Source of the most serious bullying in the last 12 months (public sector total) (2014-2016)

Source of bullying	2016	2014
Your immediate manager/supervisor	26%	28%
A fellow worker at your level	25%	23%
A senior manager	23%	23%
Prefer not to say	13%	10%
A subordinate	8%	9%
Other	4%	N/A
A client or customer	2%	3%
A member of the public other than a client or customer	<1%	1%

Source: People Matter survey 2014, 2016

Of those who indicated that they were subjected to bullying, the most common behaviours experienced are shown in [Table 3](#). Unjustified criticisms or complaints was most cited (14%), followed by withholding information vital for work performance (11%). Being shouted at or receiving abusive or insulting language was reported in 10% and 8% of cases respectively. The most serious behaviours – threatening or actual physical harm and sexual harassment or abuse – were least reported at less than 1%. The time series shows that these proportions remain relatively stable.

Table 3 - Behaviours experienced by employees subjected to bullying (public sector total) (2016)

Type of behaviour	% experienced
Bullying behaviours	
Unjustified criticisms or complaints	14%
Withheld information vital for effective work performance	11%
Shouted or expressed anger	10%
Deliberate exclusion from workplace activities or opportunities	10%
Spread misinformation or malicious rumours	9%
Abusive, insulting or offensive language	8%
Repeatedly hassled or gave unwanted attention	8%
Other	6%
Threatened job loss or restricted job opportunities	5%
Sent offensive phone, text, email, written, online messages	3%
Criminal acts and/or sexual harassment	
Threatened with physical harm	0.8%
Sexual harassment or abuse	0.7%
Physical harm	0.4%

Source: People Matter survey 2016

3. Trends in bullying in emergency services agencies

3.1. Profile of emergency services agencies

The agencies under review by the Inquiry are all emergency services agencies. They share the common purpose of delivering immediate and critical services to the community. They also have workforces made up of frontline and non-frontline employees and, in some cases, a volunteer workforce (Note: The volunteer workforce is not included in data collections done by the PSC such as the People Matter survey and Workforce Profile).

3.2. Demographic profile of emergency services agencies

Each emergency services agency has unique characteristics that need to be considered in making comparisons between the agencies. The selected demographic information shown in [Table 4](#) gives a picture of emergency services agencies that is somewhat different to the rest of the public sector. For example, apart from the NSW Police Force, there are relatively smaller proportions of people from racial, ethnic, ethno-religious minority groups than are represented across the broader public sector. Also, the gender composition is quite different in these agencies which have more men than women.

Table 4 - Selected demographics – overview of emergency services agencies (2016)

Agency	Total staff (headcount)	Male	Female	% Aboriginal People & Torres Strait Islanders	% People from racial, ethnic, ethno-religious minority groups	% People with Disability	Median age
Ambulance Service of NSW	4,617	62%	38%	3.0%	5.5%	1.7%	46
Fire and Rescue NSW	4,009	89%	11%	3.4%	3.7%	1.5%	48
NSW Police Force	20,574	65%	35%	3.1%	14.2%	0.8%	48
Office of the NSW Rural Fire Service	876	66%	34%	1.9%	3.0%	4.8%	46
Office of the NSW State Emergency Service	351	48%	52%	1.7%	2.7%	3.4%	45
Public Sector (Total non casual headcount)	351,085	37%	63%	3.1%	13.2%	2.8%	45

Source: Workforce Profile 2016 (non-casuals used for diversity calculations)

[Table 5](#) shows the response rates for the People Matter survey from 2012-2017 for emergency services agencies and the public sector.

Table 5 – Response rate for emergency services agencies to the People Matter survey 2012-2017

Agency	2017	2016	2014	2012
Ambulance Service of NSW	30%	21%	19%	22%
Fire and Rescue NSW	20%	17%	11%	5%
NSW Police Force	27%	20%	12%	18%
Office of the NSW Rural Fire Service	45%	45%	31%	46%
Office of the NSW State Emergency Service	100%	73%	42%	69%
Public sector (total)	42%	36%	19%	16%

3.3. Occupation groups in emergency services agencies

This section shows the largest occupation groups in each of the emergency services agencies as reported in the 2016 Workforce Profile. It is notable that the Office of the NSW Rural Fire Service

and the Office of the NSW State Emergency Service have relatively small numbers of staff compared to the other emergency services agencies. These agencies do, however, have a substantial volunteer workforce (74,162⁷ in the NSW Rural Fire Service and 8,658⁸ in the NSW State Emergency Service).

Following this pattern, the biggest proportion of respondents to the People Matter survey in Ambulance Service of NSW, Fire and Rescue NSW and NSW Police Force are those delivering frontline services. In the Office of the NSW Rural Fire Service and the Office of the NSW State Emergency Service respondents are more likely to be performing administrative and clerical type roles as volunteers do not participate in the survey. See [Tab C](#) for details.

3.3.1. Ambulance Service of NSW

Top three occupation groups in Ambulance Service:

Occupation	Headcount
Ambulance Officer (includes Paramedics and Specialist Paramedics) ⁹	3,916
Call or Contact Centre Operator	315
Training and Development Professional	88

Source: Workforce Profile 2016

3.3.2. Fire and Rescue NSW

Top three occupation groups in Fire and Rescue NSW:

Occupation	Headcount
Fire Fighter (excludes Retained firefighters)	3,369
Commissioned Fire Officer	159
General Clerk	124

Source: Workforce Profile 2016

3.3.3. NSW Police Force

Top three occupation groups in NSW Police Force:

Occupation	Headcount
Police Officer	13,260
Detective	2,448
General Clerk	1,111

Source: Workforce Profile 2016

3.3.4. Office of the NSW Rural Fire Service

Top three occupation groups in Office of the NSW Rural Fire Service:

Occupation	Headcount
Clerical and Administrative Workers	213

⁷ <http://www.rfs.nsw.gov.au/about-us/fast-facts>

⁸ https://www.ses.nsw.gov.au/media/1225/nswses_annual_report_2015_16_8mb.pdf, p.4.

⁹ Due to coding updates to Ambulance Officers and Paramedics in the 2016 Workforce Profile, the headcount for Ambulance Officers is provided by the Ambulance Service of NSW and broadly aligns with the sum of several related ANZSCO codes provided in the Workforce Profile.

Occupation	Headcount
Program or Project Administrator	105
Clerical and Office Support Workers	95

Source: Workforce Profile 2016

3.3.5. Office of the NSW State Emergency Service

Top three occupation groups in the Office of the NSW State Emergency Service:

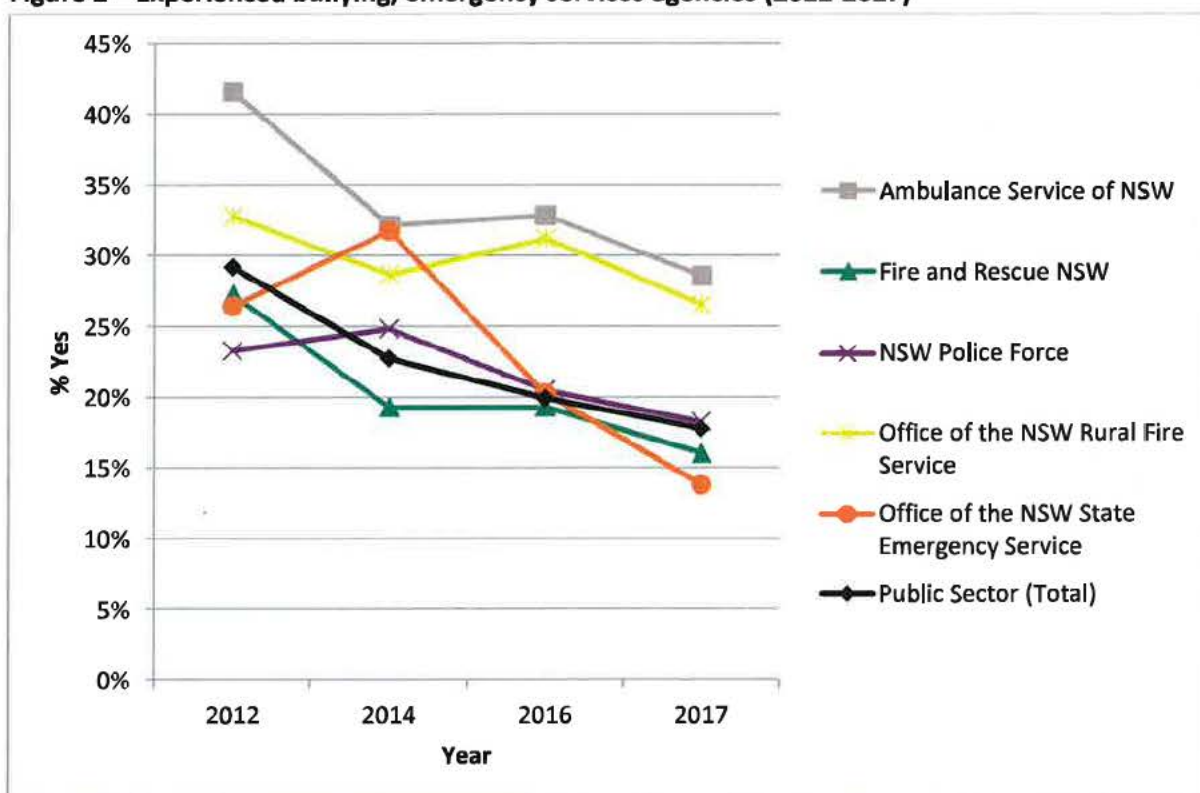
Occupation	Headcount
General Clerk	70
Training and Development Professional	39
Intelligence Officer	24

Source: Workforce Profile 2016

3.4. Prevalence of bullying in emergency services agencies

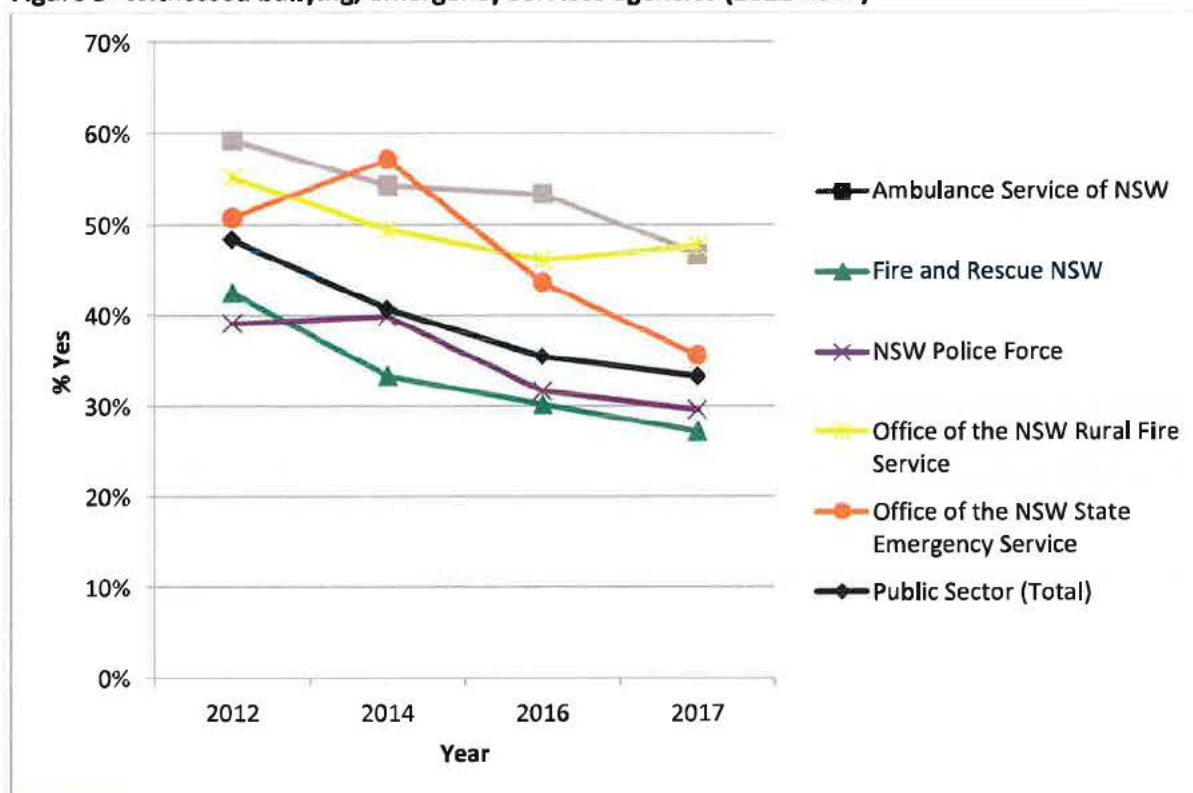
The sector-wide downward trend in bullying is similar in emergency services agencies (see [Figure 2](#) and [Figure 3](#)).

Figure 2 – Experienced bullying, emergency services agencies (2012-2017)



Source: People Matter survey 2012, 2014, 2016, 2017

Figure 3- Witnessed bullying, emergency services agencies (2012-2017)



Source: People Matter survey 2012, 2014, 2016, 2017

Overall, bullying continues to trend downward across the public sector and in emergency services agencies. Between 2012 and 2017 there have been improvements in both the proportion of employees witnessing and experiencing bullying. In emergency services agencies, the level of decline in those witnessing bullying in 2017 compared to 2012 is between 7 and 15 percentage points while the decline in those experiencing bullying is between 5 and 13 percentage points.

Since 2012, when the People Matter survey was launched, the Ambulance Service of NSW has shown the biggest decline in bullying rates of 13 percentage points. However, it also has the highest rate of bullying among the emergency services agencies at around 29%. Similarly, rates of bullying are still fairly high in the Office of the NSW Rural Fire Service at 27% even though there was a decline of around 6 percentage points between 2012 and 2017. Both of these agencies are well above the other emergency services agencies which are close to or below the public sector average of 18% in 2017.

In the last 12 months all emergency services agencies have shown a decline in the proportion of employees who have experienced bullying. The biggest fall in bullying rates between 2016 and 2017 was seen in the Office of the NSW State Emergency Service, which is down 6 percentage points to 14% – it is notable that, at the same time, the response rate went up to 100% for this agency. Bullying rates in the NSW Police Force have fallen steadily since 2014 to be closely aligned with the public sector average at around 18%. Rates of bullying in Fire and Rescue NSW have continued to decline from 27% in 2012 to 16% in 2017.

It is noted that the Office of the State Emergency Service had an increase in employee perceptions about witnessing and being subjected to bullying between 2012 and 2014 of around 6 percentage points. This period overlapped with Operation Dewar, conducted by Independent Commission Against Corruption in 2014, which examined matters related to the State Emergency Service. These incidences have dropped substantially since 2014 by around 22 and 18 percentage points respectively.

There was some variation in the most frequently cited sources of bullying in emergency services agencies in 2016 (see [Table 6](#)). However, in line with the public sector more broadly, the most frequent included: senior managers, immediate managers/supervisors and fellow workers. It is perhaps not surprising that there were few instances of bullying by a client or customer or by a member of the public given the focus of the People Matter survey on repeated incidences of workplace bullying.

Table 6 - Source of the most serious bullying in the last 12 months (2016)

Agency	Senior manager	Immediate manager / supervisor	Fellow worker at same level	Subordinate	Client or customer	Member of the public	Other	Prefer not to say
Ambulance Service of NSW	29%	27%	18%	13%	R	R	R	8%
Fire and Rescue NSW	29%	23%	26%	10%	R	R	R	9%
NSW Police Force	30%	28%	20%	7%	R	R	3%	11%
Office of the NSW Rural Fire Service	18%	44%	13%	R	R	R	R	12%
Office of the NSW State Emergency Service	24%	28%	R	R	R	R	R	R
Public Sector (Total)	23%	26%	25%	8%	2%	0%	4%	13%

(R) = redacted (results are not available due to the small size of the group)

Source: People Matter survey 2016

[Table 7](#) shows that there were some changes in the source of the most serious bullying between 2014 and 2016. In Fire and Rescue NSW, the Office of the NSW Rural Fire Service and the Office of NSW State Emergency Service there was a substantial reduction in the likelihood the perpetrator was a senior manager. Shifts in other areas were also noted – in Fire and Rescue NSW the rate of fellow workers being the perpetrator increased substantially while in the Office of the NSW Rural Fire Service the rate of bullying by immediate managers/supervisors showed a marked increase.

Table 7 - Source of the most serious bullying in the last 12 months (comparison between top 3 for 2014-2016)

Agency	Senior manager		Immediate manager / supervisor		Fellow worker at same level	
	2016	2014	2016	2014	2016	2014
Ambulance Service of NSW	29%	29%	27%	26%	18%	24%
Fire and Rescue NSW	29%	42%	23%	22%	26%	16%
NSW Police Force	30%	28%	28%	30%	20%	23%
Office of the NSW Rural Fire Service	18%	30%	44%	29%	13%	15%
Office of the NSW State Emergency Service	24%	30%	28%	33%	R	R
Public Sector (Total)	23%	23%	26%	28%	25%	23%

(R) = redacted (results are not available due to the small size of the group)

Source: People Matter survey 2014, 2016

The types of behaviours experienced by employees who said they had been subjected to bullying in emergency services agencies are fairly consistent with the proportions reported at the public sector level (as shown in [Table 3](#) (above)). The two main types of behaviour reported in 2016 were unjustified criticism or complaints and withholding information vital for effective work performance.

Table 8 shows the likelihood of employees in emergency services agencies taking sick leave and/or making a workers' compensation claim as a result of the bullying they experienced. Close to half (45% and 49% respectively) of those subjected to bullying in the Ambulance Service and the Office of the NSW Rural Fire Service took sick leave as a result of the bullying they experienced. Employees in the NSW Police Force were much more likely to make a workers' compensation claim as a result of the bullying they experience than those in the other emergency services agencies and compared to the public sector average.

Table 8 - Percentage of employees who took sick leave and/or made a workers' compensation claim as a result of the bullying they experienced (2016)

Agency	Took sick leave	Made a workers' compensation claim
Ambulance Service of NSW	45%	5%
Fire and Rescue NSW	36%	6%
NSW Police Force	39%	14%
Office of the NSW Rural Fire Service	49%	R
Office of the NSW State Emergency Service	40%	R
Public sector (total)	38%	4%

Source: People Matter survey 2016

The proportions of male and female employees in emergency services agencies who responded that they had been subjected to bullying in the last 12 months and, of those, the proportion who made a formal complaint are shown in **Table 9**. Female respondents were slightly more likely than male respondents to have been subjected to bullying with the exception being in the Ambulance Service of NSW. In the Ambulance Service of NSW, of those who experienced bullying, males were more likely than females to make a formal complaint. In contrast, females who experienced bullying in Fire and Rescue NSW were much more likely to make a formal complaint than males.

Table 9 - Gender differences in being subjected to bullying and making a formal complaint (2016)

Agency	Of those subjected to bullying		Formal complaint made by those subjected to bullying	
	Male	Female	Male	Female
Ambulance Service of NSW	33%	32%	30%	24%
Fire and Rescue NSW	19%	23%	27%	36%
NSW Police Force	19%	22%	24%	22%
Office of the NSW Rural Fire Service	30%	32%	22%	R
Office of the NSW State Emergency Service	17%	22%	R	R
Public sector (Total)	17%	21%	22%	21%

(R) = redacted (results are not available due to the small size of the group)

Source: People Matter survey 2016

The proportion of those subjected to bullying is shown by groupings of frontline and non-frontline employees in **Table 10**.

Table 10 - Frontline and non-frontline employees subjected to bullying (2016)

Agency	Frontline subjected to bullying (% yes)	Non-frontline subjected to bullying (% yes)
Ambulance Service of NSW	36%	25%
Fire and Rescue NSW	19%	21%
NSW Police Force	21%	20%
Office of the NSW Rural Fire Service	34%	28%
Office of the NSW State Emergency Service	R	R
Public sector (Total)	16%	23%

(R) = redacted (results are not available due to the small size of the group)

Source: People Matter survey 2016

3.5. Diversity and inclusion in emergency services agencies

Responses to the diversity and inclusion-related questions in the People Matter survey ask about whether being a member of specific diversity groups is a barrier to success. Responses to these questions capture perceptions from all employees whether or not they associate with that particular diversity group.

Table 11 shows employee perceptions of the barriers to success for emergency services agencies and the public sector. Employee perceptions in emergency services agencies are below the public sector average for all diversity groups. In particular, perceptions that disability is a barrier to success are much more prevalent in the Ambulance Service of NSW, Fire and Rescue NSW and NSW Police Force.

Table 11 - Barriers to success (agreement %) (2016)

	Ambulance Service of NSW	Fire and Rescue NSW	NSW Police Force	Office of the NSW Rural Fire Service	Office of the NSW State Emergency Service	Public sector (total)
Cultural background is not a barrier to success in my organisation	69%	74%	74%	64%	64%	77%
Age is not a barrier to success in my organisation	58%	65%	66%	58%	61%	71%
Disability is not a barrier to success in my organisation	41%	36%	48%	52%	64%	67%
Sexual orientation is not a barrier to success in my organisation	69%	69%	72%	61%	65%	76%
Gender is not a barrier to success in my organisation	61%	65%	67%	54%	58%	74%

Source: People Matter survey 2016

This data can also be considered from the perspective of those who identify in the People Matter survey demographics as belonging to one of the groups at the sector-wide level. However, due to the small numbers in emergency services agencies, only gender can be shown (see Table 12). It is apparent that in emergency services agencies females see their gender as being a barrier to success in their organisation much more so than in the public sector generally. In the public sector there is very little difference between the perceptions of males and females about their prospects for success.

Table 12 - Gender is not a barrier to success in my organisation (agreement % male and female) (2016)

Ambulance Service of NSW		Fire and Rescue NSW		NSW Police Force		Office of the NSW Rural Fire Service		Office of the NSW State Emergency Service		NSW Public sector (total)	
Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
64%	56%	65%	64%	71%	62%	66%	37%	61%	55%	73%	74%

Source: People Matter survey 2016

4. Contributing factors to bullying

4.1. Understanding bullying using workforce data

An 'Understand bullying' app has been developed by the PSC as part of a Workforce Dashboard to allow agencies to monitor areas of risk associated with bullying.

Drawing on data sources including the People Matter survey and the Workforce Profile, the app provides access to:

- Psychosocial factors associated with bullying: key indicators that are most related to the incidence of bullying, including the support provided by leaders, team morale, and performance feedback practices
- Workforce information: population indicators, which may be related to workplaces where there are higher incidences of bullying such as age, gender, ethnicity, disability, role type and grade.
- Bullying incidence: the incidence of bullying, measured by employee reports of witnessed and experienced bullying, and formal complaints made about bullying.
- Potential costs: in the future may also include data on issues that may arise as a result of bullying, including increased sick leave, turnover, workers compensation claims, anxiety and depression.

There is still more work to be done for agencies to make full use of the data available on bullying. In 2016, the Public Service Commissioner found that there is generally low uptake of predictive data across public sector agencies, with 33% of agencies reporting maturity in using data to identify key drivers of bullying, such as the Understand Bullying app in the Workforce Dashboard.

4.1.1. Factors associated with bullying

The PSC has identified eight psychosocial factors from specific sets of questions in the People Matter survey at the sector-wide level that are related to the incidence of bullying. They are made up of statistically significant correlations that have been observed between the key indicators and reported experience of bullying in the survey. The indicators include:

- Supportive management (support, communications and recognition from immediate manager)
- Senior leadership (strategic direction, communications and values of senior managers)
- Performance management (performance management processes and dealing with poor performance)
- Workplace morale (support from others and team spirit)
- Development and growth (learning and career development opportunities)
- Engagement (engagement with the organisation)
- Work ease (workload and stress)
- Role clarity (expectations, tools and information to perform the job)

Tab D gives the full list of indicators and associated survey questions.

The People Matter survey results, and those of other rigorous organisation climate surveys, are some of the most powerful tools available to measure organisational health and the likelihood of bullying behaviour. These early indicators of poor or deteriorating workplace culture provide objective information and the opportunity to take remedial action before problems escalate.

4.2. Factors associated with bullying in emergency services agencies

Higher incidence of bullying tends to be associated with negative trends in key aspects of workforce management practice. Important factors in bullying prevention that are influenced by management practices include supportive leadership, role clarity, performance management, work ease, workplace morale, development and growth, and staff engagement. Falling trends in these characteristics are valuable warning signs of an existing or emerging poor work environment, in which bullying behaviour is more likely to arise.

The eight indicators around the psychosocial factors associated with bullying are available on the dashboard for the 2016 People Matter survey results and tailored to each agency; the 2017 data will soon be available to agencies. The use of a different answering scale limits trend analysis with the 2012 and 2014 data. The exception is the engagement index which can be compared with 2014 data. Nonetheless the indicators provide a solid baseline for agencies to better understand question groupings and to compare themselves with the average for the public sector and their cluster (where applicable).

Table 13 shows the indicator scores for each of the emergency services agencies for 2016. These indicators are calculated from People Matter survey by weighting responses in the same way as the engagement index to provide comparable analysis. The grey shading shows that almost all agencies are below the public sector average on all indicators. The exceptions are Fire and Rescue NSW which is above the public sector average on engagement, workplace morale and work ease and NSW Police Force which is also above the public sector average on work ease.

Table 13 – Psychosocial factors associated with bullying, emergency services agencies (2016)

Agency	Engagement	Senior leadership	Supportive management	Workplace morale	Work ease	Development & growth	Role clarity	Performance management
Ambulance Service of NSW	58%	40%	54%	65%	54%	43%	65%	43%
Fire and Rescue NSW	72%	45%	66%	75%	64%	49%	69%	49%
NSW Police Force	61%	45%	59%	67%	60%	53%	70%	54%
Office of the NSW Rural Fire Service	65%	46%	60%	63%	51%	54%	66%	51%
Office of the NSW State Emergency Service	63%	35%	62%	69%	47%	43%	56%	46%
Public Sector (total)	65%	54%	68%	72%	59%	59%	71%	59%

Source: People Matter survey 2016

The indicators that stand out as the biggest risks associated with the incidence of bullying in all of the emergency services agencies are senior leadership and performance management. The scores for these indicators are well below the public sector average, at 8 to 18 percentage points for senior leadership and 5 to 16 percentage points for performance management.

The senior leadership indicator is comprised of questions relating to the most senior group of managers in the organisation while the supportive management indicator relates to employees' perceptions of their immediate team or project manager. Results for the supportive management indicator are much higher than for the senior leadership indicator across all emergency services agencies but are still 8 to 13 percentage points below the public sector average in the Ambulance Service of NSW, NSW Police Force and Office of the NSW Rural Fire Service. Leaders and managers have a major role in creating positive organisational culture. The results suggest that improvements could be made in these agencies, in particular, to develop more supportive leadership at the different organisational levels.

Performance management and development has been recognised by the PSC as an important workforce management practice that supports a high performance culture. The public sector continues to build capability in performance management. In 2012 around half of employees who participated in the People Matter survey said they had received regular feedback on their performance (52%) and received a formal review (49%). This increased in 2016 with 62% reporting they have a current individual performance plan, and 59% having received useful feedback that helps them deliver the required result. While these improvements are positive, more needs to be done for performance management to be a tool that is used effectively in all agencies.

The performance management indicator shows potential for improvements in all emergency services agencies. Agencies can build employee confidence and positive workplace culture when performance management processes are transparent and constructive and poor performance is addressed.

4.2.1. Employee engagement

Evidence shows that employees who are engaged with their work and organisation are more likely to be productive. A negative workplace environment can diminish the extent to which employees are prepared to go above and beyond the basic requirements of their job.

Fire and Rescue NSW has the highest engagement index score among the emergency services agencies at 72%. This is also above the public sector average of 65%. At the same time the rates of bullying in this agency are one of the lowest among the emergency services agencies and lower than the public sector average for those who witnessed or were subjected to bullying. Workplace morale is also high in this agency at 75%, around four percentage points above the public sector average.

5. Next steps

The NSW public sector has come a long way in relatively short period of time in understanding the prevalence of bullying within agencies and in developing approaches to address and prevent it. The People Matter survey is now run on an annual basis and response rates have improved with each survey. A Workforce dashboard has been developed to give agencies timely access to critical data on the prevalence of bullying as well as on the psychosocial factors to be addressed to help reduce the prevalence of bullying. The Commissioner will continue to promote to agencies the value of utilising the available data and to implement strategies that focus on bullying prevention and early intervention.

The PSC will examine the uptake by agencies of the Positive and Productive Workplace Guidelines and the Respect, Reflect, Reset campaign and report on this in the 2018 State of the Public Sector Report.

In addition to specific initiatives, a wide range of general initiatives that are being led by the PSC will continue to be relevant for continuing to drive down the behaviours under consideration by the Inquiry:

- Ongoing improvements to the Performance Management Framework will continue to see the quality and type of feedback provided to staff improve – this has benefits for the atmosphere in an organisation and also in ensuring that early action can be taken to support staff who are struggling, rather than waiting for performance to deteriorate;
- Work that the PSC is leading on workforce diversity, in particular some of the work that is nearing completion on improving the representation and experience of people with disabilities. This will have a beneficial effect on workplace cultures which should result in improvements in the over-representation of a number of groups in those who have either experienced or witnessed bullying;
- Ongoing development and implementation of the Capability Framework is emphasising interpersonal skills and people management skills as part of the process of recruiting and developing staff.

Tab A: Role of the Public Service Commissioner

The *Government Sector Employment Act 2013* establishes the objectives, functions and powers of the Public Service Commissioner.

Principal objectives of the Commissioner

The principal objectives of Commissioner are to:

- promote and maintain the highest levels of integrity, impartiality, accountability and leadership across the government sector
- improve the capability of the government sector to provide strategic and innovative policy advice, implement the decisions of the Government and meet public expectations
- attract and retain a high calibre professional government sector workforce
- ensure that government sector recruitment and selection processes comply with the merit principle and adhere to professional standards,
- foster a public service culture in which customer service, initiative, individual responsibility and the achievement of results are strongly valued
- build public confidence in the government sector
- support the Government in achieving positive budget outcomes through strengthening the capability of the government sector workforce.

General functions of the Commissioner

The general functions of Commissioner are to:

- identify reform opportunities for the government sector workforce and to advise the Government on policy innovations and strategy in those areas of reform,
- lead the strategic development and management of the government sector workforce in relation to the following:
 - workforce planning, including identifying risks and strategies to minimise risks
 - recruitment, particularly compliance with the requirements relating to appointment and promotion on merit
 - performance management and recognition
 - equity and diversity, including strategies to ensure the government sector reflects the diversity of the wider community
 - general conduct and compliance with ethical practices
 - learning and development
 - succession planning
 - redeployment, including excess employees
 - staff mobility
 - executive employment arrangements
- advise the Government on leadership structure for the government sector
- advise the Government on appropriate strategies, policies and practices in relation to the structure of the government sector workforce,
- advise the Government on appropriate strategies, policies and practices in relation to such other government sector matters as the Minister may determine from time to time, and to monitor, co-ordinate and assist the implementation of Government strategies, policies and practices in such other areas as the Minister may determine from time to time,
- develop and advise the Government on service delivery strategies and models for the government sector through collaboration with the private business sector, the not-for-profit sector and the wider community,

- set standards, subject to any legislative requirements, for the selection of persons for appointment as members of boards or committees of public authorities (including Government business enterprises).

The Commissioner has and may exercise such other functions as are conferred or imposed on the Commissioner by or under the Government Sector Employment Act 2013 or any other Act. In 2015 the Commissioner issued The Code of Ethics and Conduct (the Code) for NSW government sector employees. The purpose of the Code is to identify mandatory requirements and best practice conduct for all government sector employees which is consistent with Part 2 of the GSE Act (*the Ethical framework for the government sector*).

In addition to promoting and maintaining the government sector core values other functions of the Commissioner include making government sector employment rules; giving directions to government sector agencies; assigning a senior executive to a role in a Public Service agency; reporting on workforce diversity and conducting inquiries.

The Commissioner is to exercise his or her functions in accordance with the general policies and strategic directions determined by the Public Service Commission Advisory Board.

Annual reports of the Commissioner

The Commissioner is, as soon as practicable after 30 June in each year, to prepare and forward to the Premier:

- a report on the Commissioner's work and activities for the 12 months ending on that 30 June, and
- a report on the state of the government sector in relation to the period of 12 months ending on that 30 June.

The report on the state of the government sector is to include the following:

- an assessment of the performance of the whole of the government sector, including notable achievements, challenges and priorities,
- an analysis of government sector workforce data.

The Premier is to table any report under this section, or cause it to be tabled, in both Houses of Parliament as soon as practicable after it is received by the Premier.

Tab B: Data sources

The PSC collects a wide range of data from public sector agencies. Two of the main sources are the People Matter Employee Survey and the Workforce Profile.

People Matter Employee Survey

The People Matter Employee Survey (People Matter survey) is a voluntary employee opinion open to all staff across the NSW public sector. The People Matter survey was introduced in 2012 as a biennial survey of employees' perceptions of and experiences in their workplaces. People Matter survey data is available for the years 2012, 2014 and 2016. The People Matter survey is now run on an annual basis. The latest survey was open throughout June 2017 with preliminary results expected to be available in August 2017.

Participation rates in People Matter survey have been gradually increasing from more than 60,000 respondents (or around 16% of the workforce) in 2012 to over 140,000 respondents (or around 42% of the workforce) in 2017 across the public sector.

Workforce Profile

The Workforce Profile is an annual census of all employees within the NSW public sector. It includes demographic information, such as age, gender, Equal Employment Opportunity group membership, as well as employment information such as hours worked, leave patterns, remuneration and mobility within the sector.

Workforce profile data have been collected since 1999 and, since the establishment of the PSC, are published each year as a companion report to the annual State of the NSW Public Sector Report.

Tab C – Response rates to the 2016 People Matter survey

The following tables show the highest number of respondents to the People Matter survey 2016 by type of work for each emergency services agency.

Ambulance Service of NSW

Type of work	Respondents (n)
Operational Ambulance Officers	478
Corporate Services	36
Administrative and Executive Assistant	16
Operational Ambulance Managers	16

Fire and Rescue NSW

Type of work	Respondents (n)
Permanent Fire Fighter	601
Retained Fire Fighter	203
Administrative or other clerical worker	236

NSW Police Force

Type of work	Respondents (n)
Sworn police officer – other	1406
Non-sworn employee of NSW Police Force	987
Sworn police officer – general duties	850
Administrative or other clerical worker	110

Office of the NSW Rural Fire Service

Type of work	Respondents (n)
Other	207
Administrative or other clerical worker	101
Permanent Fire Fighter	27

Office of the NSW State Emergency Service

Type of work	Respondents (n)
Corporate services	61
Other	42
Administrative support	35

Tab D: People Matter survey indicators

The following shows the indicators derived from the People Matter and the survey questions on which they are based.

Supportive Management:

- My manager encourages and values employee input
- My manager assigns work to people in my workgroup based on their skills and expertise
- My manager communicates effectively with me
- My manager provides acknowledgement or other recognition for the work I do

Senior Leadership:

- I believe senior managers provide clear direction for the future of the organisation
- I feel that senior managers keep employees informed about what's going on
- I feel that senior managers listen to employees
- I feel that senior managers model the values of my organisation

Performance Management:

- My performance is assessed against clear criteria
- In the last 12 months I received useful feedback on my work to enable me to deliver required results
- My manager appropriately deals with employees who perform poorly

Workplace Morale:

- I receive help and support from other members of my workgroup
- There is good team spirit in my workgroup

Development and Growth:

- My organisation is committed to developing its employees
- I am satisfied with the opportunities available for career development in my organisation
- I am able to access the right learning and development opportunities as required

Engagement:

- I would recommend my organisation as a great place to work
- I am proud to tell others I work for my organisation
- I feel a strong personal attachment to my organisation
- My organisation motivates me to help it achieve its objectives
- My organisation inspires me to do the best in my job

Work Ease:

- My workload is acceptable
- I am able to keep my work stress at an acceptable level

Role Clarity:

- I understand what is expected of me to do well in my role
- I have the tools I need to do my job effectively
- I get the information I need to do my job well