

**2019 Budget Estimates - Questions on Notice - Customer Service - Minister Dominello**  
**Portfolio Committee No. 6 – Transport and Customer Service**  
**Hearing Monday 28 October 2019**

Mr VICTOR DOMINELLO: My understanding is that in relation to the position on PEXA he excused himself from all decisions within the cluster at the time.

The Hon. DANIEL MOOKHEY: When you say "excused himself", from when did he excuse himself from any PEXA-related discussions?

Mr VICTOR DOMINELLO: I will take that on notice because I am not across all that detail.

The Hon. DANIEL MOOKHEY: I appreciate that as well. But did he inform you at the time that he was going to PEXA that he had recused himself on that or was the first time you learnt that he had recused himself when he told you he was joining PEXA?

Mr VICTOR DOMINELLO: Again I will take that on notice. I do not want this to be a guessing competition.

**ANSWER**

**Refer to answers provided to the Supplementary Questions.**

The Hon. DANIEL MOOKHEY: I am asking you was any policy followed, and thus any conditions under any policy imposed on Mr King that would effectively mitigate there being any conflict of interest between his now CEO—

Mr VICTOR DOMINELLO: That would be governed by the Department of Premier and Cabinet and he would be required to adhere to the practices and procedures that are in place for all senior executives.

The Hon. DANIEL MOOKHEY: Did you take steps to verify whether that policy does exist and whether or not it has been followed by Mr King?

Mr VICTOR DOMINELLO: Again, I will take that on notice because it is outside my immediate knowledge.

**ANSWER**

**Refer to answers provided to the Supplementary Questions.**

The Hon. DANIEL MOOKHEY: I will try. Have any restrictions been put in place now that prevent contact between the Department of Customer Service staff and Mr King in relation to his PEXA duties?

Mr VICTOR DOMINELLO: I will take that on notice, Mr Mookhey, but I go back to the previous response. My assumption is that everything is being done by the book in accordance with the rules because I have absolute respect for the integrity with which Mr King holds himself. He is a man of integrity. I have no doubt that all rules have been followed. If they have not, please bring it to my attention because I would like to know about it.

**ANSWER**

**Refer to answers provided to the Supplementary Questions.**

The Hon. DANIEL MOOKHEY: I understand that. He went from being the Deputy Secretary to the Secretary. Presumably he would have gone up to the top State Executive Service remuneration band, which is remuneration band six, is that correct?

Mr VICTOR DOMINELLO: I think that is a fair assumption.

The Hon. DANIEL MOOKHEY: Probably from four or five at the Deputy Secretary level?

Mr VICTOR DOMINELLO: I just do not have any knowledge about that.

The Hon. DANIEL MOOKHEY: Maybe the public service might be able to tell us.

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

**ANSWER**

**Senior Executive bands are published on the Public Service Commission website.**

The Hon. DANIEL MOOKHEY: No, he did not chair it. It was Natalie Ward. It is a Government-controlled committee. I was on it too. It is funny that you mention it because one of the other recommendations it made was also to provide Mr Garling with tenure, and to clarify as quickly as possible his contract period. I will ask you about that now because I was going to ask you later about where you are up to in terms of the development of the personal injury proposal. Has the public consultation—or the secretary-led consultation—been completed in respect of that proposal?

Mr VICTOR DOMINELLO: I do not think it is completed. No.

The Hon. DANIEL MOOKHEY: Do you have a time line as to when you expect it to complete?

Mr VICTOR DOMINELLO: I will take that on notice but I think we are very close.

#### **ANSWER**

**Consultation occurred in October-November 2019 in developing a Personal Injury Commission model, including insurers, industry, the legal profession and medical and health bodies.**

**The Personal Injury Commission model is currently under development.**

The Hon. DANIEL MOOKHEY: In respect to the recruitment process, will WIRO have a leader by the expiry of Mr Garling's contract—which is 13 December?

Mr VICTOR DOMINELLO: That is the whole purpose of this.

The Hon. DANIEL MOOKHEY: Yes, but is that the actual target to fill the role?

Mr VICTOR DOMINELLO: Can I take that on notice because I am just reading this now?

#### **ANSWER**

**The position has been advertised and the recruitment is underway.**

The Hon. MARK BANASIAK: Minister, can you explain why a Government Information (Public Access) Act request from my office on 5 September 2019 for a consultancy report by Avocado Consulting, commissioned by Service NSW and referred to in the Service NSW 2018 annual report, was transferred to New South Wales police with the following comment: "Service NSW formally transferred your application to New South Wales police on 13 September 2019 as they hold, or are reasonably expected to hold, the information you are seeking." New South Wales police then basically knocked it back and said Service NSW would have it. I am happy to give you copies of this if you like.

Mr VICTOR DOMINELLO: I am happy to look at it. Obviously, I would like to reference that if I can. Thank you.

The Hon. MARK BANASIAK: My concern is that Service NSW knew full well that it held this document and was deliberately obstructive by passing it on or deferring it to New South Wales police, which is a breach of the Service NSW code of conduct to "act ethically, honestly, and with integrity". I could cite various parts of the code of conduct if you would like that speak to that. I imagine the people in front of me know that.

Mr VICTOR DOMINELLO: I am happy to take that on notice. Obviously, I am not aware of the specific circumstance of this but I am happy to look into it and take on notice in relation to your concerns.

#### **ANSWER**

**Service NSW received a GIPA request seeking "a copy of the report prepared by Avocado Consulting Pty Ltd - Testing for NSW Police Force Staged Firearms and Licensing Information Management System, Phase 1, as reported in the 2018 Service NSW Annual Report"**

**The request for information was discussed with NSW Police.**

**NSW Police consented to have the GIPA request transferred to their agency as the information sought by the applicant related more closely to the functions of the NSW Police Force.**

**Service NSW understands that the NSW Police responded to the applicant directly and advised that Avocado contracted resources to Service NSW throughout the Firearms project, performing a range of technical tasks, mostly to do with testing. There is no singular report or document as the work was not of a consultant but rather a technical contractor.**

**Service NSW can confirm that Avocado Consulting were engaged to provide third party testing services to support the project. The testing undertaken was under the supervision and direction of Service NSW and NSW Police and formed part of an overall deployment strategy including a pilot.**

**Service NSW has since provided a testing document prepared by Service NSW that incorporates the work of the contractors engaged through Avocado Consulting.**

**The report has been provided in response to a GIPA application.**

The Hon. MARK BANASIAK: Ms Hogan, on 4 July 2019 my colleague the Hon. Robert Borsak wrote to the Public Service Commissioner for NSW, Glenn King, about the marked deterioration in customer service provided by the New South Wales Firearms Registry. Commissioner King wrote back in August saying that a review would be undertaken of the services provided to customers by the New South Wales Firearms Registry. Given the obviously sudden departure of Mr King, can we assume that you were given a formal handover of what work he was doing or any undertakings he had made? Ms HOGAN: I am not aware of this particular matter. One of my colleagues might have an answer but I do not have a full brief on this matter yet.

The Hon. MARK BANASIAK: To assist you, I will give you a copy of the letter that we wrote to him and his reply. Could you potentially take on notice whether the review has actually started? And, if it has started, or if it is complete, the insights from that review and any time line for the implementation of any recommended changes?

Ms HOGAN: I am happy to take it on notice.

#### **ANSWER**

**The Customer Service Commission is reviewing a range of customer feedback received over the last 12 months related to the customer experience of making an application for a firearms licence or permit. Any agreed opportunities to improve the customer experience are expected to be identified by early 2020.**

The Hon. PETER PRIMROSE: Minister, can I just talk for a moment with you about cybersecurity, privacy and data breaches and ask you or, through you, your officers, about the progress of the implementation of the recommendation of the Auditor-General's report from March 2018, looking at the Government's ability to detect and respond to cybersecurity incidents? Then I have got some other questions in relation to your strategy document that you subsequently released. There are some specific recommendations in that Auditor-General's report. I was wondering if you could give us an update on how many have been implemented and where they are up to?

Mr VICTOR DOMINELLO: That is really a question for Greg Wells. He is not here. Do you have any specific questions in relation to that?

The Hon. PETER PRIMROSE: Mr Wells told us on 12 September that, "We have looked at the incidents and accepted those recommendations. Many have already been implemented and the rest are in train." Given the detailed nature of that report I am looking specifically at which recommendations have now been fully implemented, which recommendations have only been partially implemented and which have not been implemented at all.

Mr VICTOR DOMINELLO: That is a fair question. Again, it was a pretty comprehensive report and we have responded to a number of them, but it is just that I do not have those numbers in front of me. When I saw the list of the witnesses who were coming today, I just assumed that was not part of the issue to be agitated. I will take it on notice and get back to you.

#### **ANSWER**

**All of the recommendations have either been implemented fully or partially**

The Hon. PETER PRIMROSE: Just following from that, and you may wish to take this on notice as well, in relation to the NSW Cyber Security Strategy, which elements of the action plan have been fully

implemented, which have only been partially implemented and which have not been implemented at all?

Mr VICTOR DOMINELLO: I will take that on notice. We have done a lot but it is not just the strategy. We have got a chief cyber security officer now, Tony Wells, and he is doing a great job, but there is a whole lot of mapping that we are undertaking. There is ongoing consultation with key stakeholders, whether it is academia or the business community, because we have to collaborate because there are so many, shall we say, hostile players in the market and every State and Territory needs to lift their game when it comes to cyber.

#### **ANSWER**

**All of the elements of the Action Plan have either been implemented fully or partially.**

The Hon. PETER PRIMROSE: Is there a stated policy?

Mr VICTOR DOMINELLO: About digital inclusion?

The Hon. PETER PRIMROSE: Digital inclusion.

Mr VICTOR DOMINELLO: I am just trying to think off the top of my head.

The Hon. PETER PRIMROSE: Again, please feel free to take it on notice.

Mr VICTOR DOMINELLO: Yes, I will take that on notice.

#### **ANSWER**

**Service NSW delivers its products and services to citizens and businesses through its omni-channel architecture.**

**The omni-channel architecture has as a design principle supporting delivery across digital, phone and online.**

**Service NSW also designs to allow a transaction to commence in one channel, and be complete through another one.**

**Our service designers conduct extensive customer research to identify customer types, including those who may not readily engage with digital channels, such that wherever possible we provide a choice of engagement channel that best suits our customers.**

The Hon. DANIEL MOOKHEY: Specifically, though, the reports do come back and say the level of psychological injury being created, effectively—or at least successfully claimed against—by workers against the Department of Education has been troubling. That is, to be fair, in respect to some questions that the Hon. Mark Banasiak has been asking. Are you aware of any specific work that SIRA or icare or the Treasury Managed Fund have done in respect of the Department of Education, which is obviously a government agency, as to why there is such a rise?

Mr VICTOR DOMINELLO: No, I do not have that information. But I am happy to take it on notice and find out.

#### **ANSWER**

**No**

The Hon. DANIEL MOOKHEY: Okay, I appreciate that. I will put the other one to you as well, which is, specifically, the number of psychological claims on notice has come back as 3,486 in 2016-17, and in 2018-19 5,280 were accepted, with 13,000 being accepted over that period of time. It is rising sharply. I am wondering if there is any policy response that the Government, or SIRA for that matter, are contemplating in respect of particularly the rise of psychological injuries?

Mr VICTOR DOMINELLO: I am happy to take that on notice. Again, I am not across that level of detail in relation to the claims in workers comp.

## **ANSWER**

**In 2018, the NSW Government launched the NSW Mentally Healthy Workplaces Strategy 2018-2022 to address mental health in the workplace. The strategy is a \$55 million-dollar investment by the NSW Government that was developed in collaboration with icare, the Mental Health Commission of NSW, the NSW Ministry of Health, SafeWork NSW and SIRA. The strategy includes the design and delivery of workplace mental health programs, educational services, tools and resources for employers and workers, as well as training, skills programs and ongoing academic research. Under the strategy, SIRA is implementing the recovery @ work program. This program provides NSW employers with evidence-based, easy to use tools and resources to support mental health recovery at work.**

The Hon. DANIEL MOOKHEY: I suspect you might need to take this on notice as well. I welcome any other advice that might be available. The number of work-related harassment and/or workplace bullying claims has gone up significantly too—close to 30 to 40 per cent—from 1,644 in 2016-17 to 2,369 in 2018-19. Is this prompting any consideration of action?

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

## **ANSWER**

**Work-related harassment and workplace bullying are causes of psychological injury which is covered by the NSW Mentally Healthy Workplace Strategy.**

The Hon. DANIEL MOOKHEY: It is not paginated, which is quite annoying; nor are the answers delineated by number either. How about I ask you the questions and give you the document. Effectively, we pursued this in the substantial estimates with Mr King in the public service section. It has come back; I appreciate the fact that the data has come back. In 2017-18 the net overpayment amounts to public servants was \$837,578. The following year it went to \$1,534,780, which has effectively doubled the overpayments. There are 344 overpayment appearances in 2017-18 to 587 in 2018-19. The balance outstanding in 2017-18 of \$284,885 has gone to \$777,000 overpaid to public servants. Why all of a sudden has this gone what appears to be pear shaped?

Ms HOGAN: I have not had a briefing on this yet. I did spend a bit of last week transitioning out of my commissioner role and really only got going here last Thursday. I would have to take it on notice. Most clusters, I imagine including ours, have a process for how they track overpayments and how they recover them. I would have to take specifically on notice this particular matter.

## **ANSWER**

**The increase in overpayments is primarily attributable to a growth in the consumption of service. The percentage of payroll overpayments is 0.197% of the total GovConnect client payroll for the past 3 years. 89% of these overpayments can be attributed to agency staff not notifying the Business Processing Operations (BPO) teams, in a timely manner of a change in employee's entitlement.**

**The time to finalise the recovery of overpayments is unique to each individual case and shaped by the amount overpaid and the financial circumstances of the individual. The Service Management Office (SMO) continues to work with the vendor and GovConnect client agencies on proactive measures to prevent overpayments. The SMO is also working to improve and strengthening the recovery process.**

The Hon. DANIEL MOOKHEY: The critical incidents that have come back with GovConnect, which is the next page if it helps, also shows that there has been in the last 12 months 106 critical incidents, of which 19 are P1 critical, as in mission critical business functionality with an impact on more than one critical service. Then P2, 87 major impact critical applications. This contract is not working—is it incorrect to infer that on the basis of what we can see here?

Ms HOGAN: It would not be appropriate for me to comment without having a full briefing from my team about what constitutes these P1 and P2 incidents and what has been done about them and what processes are in place. I am happy to take that on notice.



## **ANSWER**

**There is a notable downtrend for both the number of incidents and incident duration over the last 12 months and the average duration of P1 incidents (resolution/recovery time) have improved dramatically compared to the same time last year.**

The Hon. DANIEL MOOKHEY: Minister, we have asked you about GovConnect in previous estimates when you were the Minister for finance. When is the contract expiring on GovConnect—circa 2021?

Ms HOGAN: June 2021.

The Hon. DANIEL MOOKHEY: We are about 18 months away. When will you begin the processes of effectively deciding the scope of the next contract?

Mr VICTOR DOMINELLO: These are operational issues.

The Hon. DANIEL MOOKHEY: To be fair, this is supplementary estimates to the whole hearing.

Ms HOGAN: I would have to take a briefing from the team and take it on notice.

## **ANSWER**

**The current GovConnect contracts expire in June 2021.**

**Options are currently being explored in relation to the future of Shared Services provision.**

The Hon. DANIEL MOOKHEY: Is it being contemplated by the department to effectively insource this again and return it to the public sector at the completion of this contract round? Is that an option which is under consideration?

Ms HOGAN: I am not fully aware of the options that are under consideration at the moment but I am happy to take it on notice.

## **ANSWER**

**No**

The Hon. DANIEL MOOKHEY: Minister, have you sought or imposed any penalties on the providers in the last 12 months?

Mr VICTOR DOMINELLO: Are you asking me?

The Hon. DANIEL MOOKHEY: I am asking the secretary actually. I think the person behind you might have some advice.

Mr VICTOR DOMINELLO: She was not secretary for the last 12 months, but I am sure Ms Hogan—

Ms HOGAN: Do you mind if I consult?

The Hon. DANIEL MOOKHEY: Yes, you can consult.

The Hon. CATHERINE CUSACK: Do you have many more questions, Daniel?

The Hon. DANIEL MOOKHEY: This is serious. You might—

Ms HOGAN: It is just that we have been dealing with—

The Hon. CATHERINE CUSACK: It is just like you are making it up as you go along.

The Hon. DANIEL MOOKHEY: No, it is not. It is people getting overpaid. It is a serious issue. I am sorry that you do not think it is a serious issue but the secretary does.

The Hon. CATHERINE CUSACK: No, the questions that you—

The Hon. DANIEL MOOKHEY: Ms Secretary, do you have any advice?

The Hon. CATHERINE CUSACK: You have worked on them for months.

The CHAIR: Order!

The Hon. CATHERINE CUSACK: Sorry.

Ms HOGAN: Just that we have been dealing with both of the providers on a regular basis and I will take the details of it on notice.

## **ANSWER**

**Penalties have been imposed on the providers when a Critical Service Level (CSL) breach occurs, in line with the contract.**

The Hon. DANIEL MOOKHEY: One thing that has not come back on notice, and I did ask, is we now know how much people have been overpaid; how many people were underpaid by GovConnect. Do you have that data?

Ms HOGAN: I do not, not to hand, no.

The Hon. DANIEL MOOKHEY: Can I ask you to take on notice that net underpayment amount for financial year 2017-18, the number of occurrences, the average underpayment value and the amount that has been restored or at least repaid to the workers. Can we get the same figures for 2018-19, and the same figures for 2019-20 to date?

Ms HOGAN: I will take the question on notice, yes.

#### **ANSWER**

**Underpayments occur when an entitlement is missed in the current pay run. Once aware of any underpayments they are corrected either in the next available pay run or, can be corrected via an out-of-cycle manual payment as appropriate.**

**Inclusion of average underpayment value would present false data, as employees across GovConnect Client agencies span the spectrum of pay grades including Senior Executive Service.**

**The Service Management Office (SMO) continues to work with the vendor and GovConnect client agencies on proactive measures to prevent underpayments.**

**All staff who have been underpaid have had payments corrected.**

The Hon. DANIEL MOOKHEY: He said that that has been delivered in stages. Stage one is complete, welcome. Stages two and three, he has come back on notice and said that stage two and three of the CCEP are being delivered concurrently and include the north coast, the greater metropolitan area and priority areas for the rest of the State.

Mr VICTOR DOMINELLO: Yes.

The Hon. DANIEL MOOKHEY: He also says that stage four construction will be subject to the development of a further business case. Do you know when that business case will be completed? Have you issued any instructions as to when you would like it to be completed so we can get a funding decision on this?

Mr VICTOR DOMINELLO: No. I am happy to take that on notice though.

#### **ANSWER**

**Further business cases will be developed by the Telco Authority in accordance with the timetable for the state-wide rollout.**

The Hon. DANIEL MOOKHEY: Specifically the point was being made that the critical infrastructure in terms of the radio—there were problems with radio networks at the time.

Mr VICTOR DOMINELLO: Oh, yes. This is massive. Seriously, it is a massive investment by our Government in critical communications. I cannot begin to tell you how important this is.

The Hon. DANIEL MOOKHEY: Which is why I am asking.

Mr VICTOR DOMINELLO: That is why the police, the ambulance, everybody is on board with this.

The Hon. DANIEL MOOKHEY: Thus, as the Minister responsible for building it, I am asking you when you expect the entire network to be operational, including stage four?

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

#### **ANSWER**

**The timeframe for the delivery of stage 4 is yet to be determined.**

The Hon. DANIEL MOOKHEY: On notice it did not come back as to whether Tathra is covered so I am just asking you if you can clarify that.

Mr VICTOR DOMINELLO: Let me check. I know we have done the north and the west but I just do not know whether the south coast is included.

The Hon. DANIEL MOOKHEY: I am not expecting you to know that detail. I am just asking you on notice because it is of critical interest to that community, of course.

**ANSWER**

**Yes, the government radio network provides coverage to the town of Tathra. This coverage will be further enhanced following upgrades to an existing GRN site in 2020.**