

## Small Business and Fair Trading

Friday 28 October 2022

### Responses to Questions taken on Notice

Question
<p>The Hon. ANTHONY D'ADAM: What's a category 2, Ms McCool?</p> <p>MEAGAN McCOOL: A category 2 is a serious incident where we respond within 72 hours, and that's an inspector response.</p> <p>The Hon. ANTHONY D'ADAM: What's listed here are five category 2 incidents. The question that was asked was about requests for service and notifiable incidents. Mr Press, were there no requests for service?</p> <p>MATTHEW PRESS: You'll have to allow me time to look through my files, Mr D'Adam.</p> <p>The Hon. ANTHONY D'ADAM: Okay.</p> <p>MATTHEW PRESS: I might get back to you in a couple of minutes, if that's okay.</p>
<p><b>ANSWER:</b></p> <p>In the year before the fatality, one Request for Service (RFS) was received by SafeWork NSW on 3 May 2018. This resulted in an onsite visit by an Inspector.</p>
<p>The CHAIR: My concern is that SafeWork NSW decided, after only 14 days of that incident in 2020, that there was nothing to see; move on. A year later you decide that there was something worth looking at. When did SafeWork NSW become aware that there was a second inspection by Public Works in 2018? When did SafeWork become aware of that document? Was that during the investigation decision-making panel's (IDMP) role?</p> <p>MATTHEW PRESS: I don't have that information.</p> <p>The CHAIR: Does anyone have that information, or do you want to take it on notice, as to when SafeWork found out about the 2018 Public Works inspection?</p> <p>MEAGAN McCOOL: I can give a general time line. The incident occurred 4 January 2020, as you know. He was notified by the police on 5 January 2020. A Bega inspector attended on 9 January and it was closed out locally on 14 January. It was later, in July 2021, when a member of the community advocates association contacted SafeWork and the matter was re-opened. It was triaged also for another inspector response, and also the matter was investigated by the manager from the South Coast that is responsible for Cooma. That's where the IDMP submission was raised. The committee didn't support a decision for further investigation and the matter was closed.</p> <p>The CHAIR: In that timeline, when did the 2018 Public Works report come to light?</p> <p>MEAGAN McCOOL: Through the course of that, raising it to the investigation decision-making panel.</p> <p>The CHAIR: Did you go back to council and ask why they provided that false and misleading information when they only referenced the 2018 report? The 2018 report is significantly different.</p> <p>MEAGAN McCOOL: I have no information to indicate it was false information. We'd have to look into that.</p> <p>The CHAIR: Well, clearly it is false, isn't it? You've got your file here saying that Public Works did an inspection in 2014 and that was the last inspection. But now, as part of these documents, you have a 2018 inspection that lists quite a whole heap of things that need to be done to this reservoir as extremely critical. It states, "Address without delay. Notify operator. Warn personnel in the area." The risk is catastrophic if you don't do those things. In 2018 the council knew about this. The council then decides to fill up a water reservoir. Mind you, they didn't need to, because RFS warned them they didn't actually need to fill that reservoir for firefighting capability. But they ignored that advice, and they ignored a Public Works document that said that they shouldn't be using this reservoir unless those things were done. I think the community and this Committee should be rightly concerned that someone has provided you with false and misleading information. Perhaps due diligence wasn't applied by</p>

your office in investigating this matter, because you closed it within the first 14 days. But then, when you re-opened it, you saw nothing wrong. Were you aware of the 2018 Public Works document when you did that panel?

NATASHA MANN: Mr Banasiak, if you do have further information about council somehow misleading SafeWork NSW, I'd be very keen to obtain that and we can then work through it.

The CHAIR: It's there in front of you. You've got information there that says that the last inspection by Public Works was in 2014, but then you've got a Public Works document dated 2018.

The Hon. PETER PRIMROSE: How could you not know about that?

The CHAIR: Clearly, the evidence is there right in front of you. Someone has given you the wrong information, or you haven't done due diligence and checked that that information is correct. For me, it's one or the other.

NATASHA MANN: Obviously, we'll have to take this particular incident on notice. But, as I said, if you do have any further information, we'd be very welcome for it.

**ANSWER:**

SafeWork NSW became aware of the 2018 Public Works report and the 2018 ALS Industries Pty Ltd report in July 2021 when contacted by a community member requesting SafeWork NSW further investigate the matter.

Timeline:

- January 2020: Incident occurred and SafeWork NSW conducted an inspector response.
- July 2021: SafeWork NSW became aware of the 2018 Public Works and ALS Industries Pty Ltd reports.
- August 2021: SafeWork NSW conducted further enquiries and prepared the Investigations Decision Making Panel (IDMP) submission.
- September 2021 to March 2022: SafeWork continued engagement with Snowy Monaro Regional Council to ensure compliance and improved work health and safety (WHS) processes in relation to similar assets.

The Inspector who responded to the incident did not issue any written notices to Snowy Monaro Regional Council to request documents and SafeWork NSW has no records that suggest there was any other type of request to Council seeking the reports. The existence of the reports was known and directly referred to in the documents presented to the IDMP.

The CHAIR: I think the fact that there was no injuries or no deaths is very good luck rather than good management. There was an 85-year-old or 90-year-old woman who was blind and woke up in the middle of the morning floating in her bedroom. There's also concerns around the disposal of household waste—it wasn't done according to proper guidelines in terms of getting rid of asbestos. Did the improper disposal of asbestos come up during your investigation in the independent decision-making panel? No?

MATTHEW PRESS: I can't recall, sorry.

The CHAIR: Do you have any information on your laptop there about that?

MATTHEW PRESS: I'd have to go back into the submission to confirm that for you.

The CHAIR: Okay. Are there any of those documents regarding the decision-making panel's decision or investigation that you'd be able to share with the Committee on notice? Obviously, you might be able to seek some advice and get back to us.

MATTHEW PRESS: Yes, I'd be happy to.

The CHAIR: That would be great. I think that concludes me, so I might throw back to Mr Primrose.

**ANSWER:**

Concerns relating to the improper disposal of asbestos were not part of the initial incident notification, nor the July 2021 request to further investigate the matter. The investigation report presented to the IDMP did not mention any issues related to asbestos disposal.

Details of the IDMP considerations and decision:

- The incident occurred on 4 January 2020. It was statute barred on 4 January 2022 from enforcement action by SafeWork NSW.
- The matter was tabled at the IDMP on 11 August 2021.
- The IDMP did not support the recommendation of the Inspector to progress the matter to a further investigation with a view to filing criminal proceedings. In doing so the IDMP considered:
  - The incident occurred in January 2020. SafeWork NSW was notified shortly after the incident occurred and responded accordingly. At that point, a decision was made on the available information at hand not to make further enquiries into the incident.
  - Little forensic factual, documentary or witness evidence had been obtained.
  - The Panel noted that, while there was significant property damage arising from the incident, considerable witness and expert evidence would need to be obtained to prove serious risk to life, given there was no serious injury reported.
  - Given the limited time that remained (5 months), the lack of primary and admissible evidence obtained, it was not practical to complete a thorough investigation with the view of prosecution before the matter was statute barred on 4 January 2022.

The Hon. PETER PRIMROSE: Do we know yet what the terms of reference for the McDougall review will be?

NATASHA MANN: I've been speaking to Mr McDougall about that and we're in the process of settling them. As soon as they become available, Mr Primrose, I will send them to you but they will be publicly available

**ANSWER:**

The Terms of Reference have been provided to Mr Primrose and are published at [www.nsw.gov.au/customerservice/publications-and-reports](http://www.nsw.gov.au/customerservice/publications-and-reports).

The Hon. PETER PRIMROSE: Can I now turn to some issues regarding workplace culture? I notice that in the further supplementary questions, there was a request for five years of SafeWork NSW's People Matter Employee Surveys, or PMES. In the answers you provided 2018 and 2019, but 2017, 2020 and 2021 were part of the parent cluster results. Are you able to provide that for those years?

NATASHA MANN: I believe we have provided that in the additional supplementaries, but if that's not the case then I can certainly provide what we have.

**ANSWER:**

Prior to 2018, the People Matters Employee Survey (PMES) did not provide business unit data below the agency level. Better Regulation Division (BRD) is the closest level that the PMES results can be provided for 2017.

A functional realignment of the Better Regulation Division commenced in June 2019 and was finalised in April 2020. The PMES Results from 2020 onwards are aggregated at the Better Regulation Division level, with results available for functional streams.

The BRD PMES Report for 2017, 2020 and 2021 were provided in response to the Additional Supplementary Questions on 20 October 2022. The BRD PMES Report for 2022 is now available and attached at **Tab C**.

The Hon. ANTHONY D'ADAM: I might first return to Mr Press and the question that was left, awaiting his response on this issue of notifiable incidents with the request for service for that Lachlan's Line. Is there a reason, Mr Press, why there were no answers in relation to the request for service?

NATASHA MANN: I think, in fairness to Mr Press, he's been answering other questions and perhaps might not have the information, Mr D'Adam.

MATTHEW PRESS: I haven't been able to get the information in the time, Mr D'Adam. I'm sorry.

**ANSWER**

Refer to the answer provided to the first question on page 1.

The Hon. ANTHONY D'ADAM: Are you able to provide on notice how many referrals have been considered by the IDMP for each year for the past five years?

Investigation Decision Making Panel made the following decisions from 1 January 2018 – 2 November 2022:

Period	Submissions considered by the IDMP	Recommendations		Recommendation further investigation			Recommendation no further investigation	
		Further Investigation	No Further Investigation	Accepted	Not Accepted	Referred (back to team)	Accepted	Not Accepted
01/01/2018 – 31/12/2018	97	59	38	40	16	3	37	1
01/01/2019 – 31/12/2019	80	50	30	38	12	3	31	1
01/01/2020 – 31/12/2020	128	61	67	46	15	3	59	13
01/01/2021 – 31/12/2021	131	52	79	46	6	2	80	1
01/01/2022 – 2/11/2022	101	44	54	40	4	3	55	0

The Hon. PETER PRIMROSE: Have you had a recruitment drive in relation to former or retired inspectors?

MATTHEW PRESS: I wouldn't say we've had a recruitment drive, but we have in recent times had some inspectors who have retired and they've been able to come back for a period of time just to help us get through gaps, knowing how challenging it can be to replace them.

The Hon. PETER PRIMROSE: How many?

MATTHEW PRESS: How many have had that return-to-work process?

The Hon. PETER PRIMROSE: Yes. How many have come back and for how long?

MEAGAN McCOOL: I guess there are two things: It's whether they retired and came back or those who left the organisation, went back to industry and then decided to come back to the regulator. I guess there are those two scenarios. I don't have the ones on retirements, but just in my area we've had one returning inspector where they went back to industry for a couple of years, then reapplied and started the process again.

The Hon. PETER PRIMROSE: Could you take the other matter on notice? If you would, thank you.

MEAGAN McCOOL: Yes.

MATTHEW PRESS: I think that approach has been quite good for the organisation, to be honest. It has helped make sure we don't lose all of that capability and experience in giving us more time to, yes, send them off to retirement, which is what they want to do, but get a bit more mentoring experience and capability building back through the chain.

**ANSWER:**

One Inspector transferred to another Government agency in October 2021 and returned to SafeWork NSW in June 2022. That Inspector remains an active Inspector in SafeWork.

One Inspector retired in October 2019 and returned to SafeWork in May 2022. That Inspector remains an active Inspector in SafeWork.

The Hon. PETER PRIMROSE: I would just like to ask two questions, if I can, in relation to matters relating to bullying. How much has SafeWork spent on legal costs for IRC matters including bullying so far in 2022?

NATASHA MANN: We've had three days' notice to come to this hearing and we don't have those details on us about that.

The Hon. PETER PRIMROSE: Please take that on notice. But you would, of course, know for 2021?

NATASHA MANN: As I said, we've had three days and I don't have those details on me.

The Hon. PETER PRIMROSE: Okay, take that on notice. And also for 2020 please.

**ANSWER:**

2020: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying complaints. Figures are not available at the Safework level.

2021: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying complaints. Figures are not available at the Safework level.

2022: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying complaints. Figures are not available at the Safework level.

The Hon. PETER PRIMROSE: How much money have you spent on external investigation reports into bullying or workplace culture?

NATASHA MANN: Again, we'd need to take that on notice.

The Hon. PETER PRIMROSE: Okay, please take it on notice.

**ANSWER:**

2020: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying investigations. Figures are not available at the Safework level.

2021: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying investigations. Figures are not available at the Safework level.

2022: Budget is allocated into the central DCS budget People and Culture unit to deal with bullying investigations. Figures are not available at the Safework level.

The CHAIR: I will ask a couple of clarifying questions based on Mr Primrose's. You talked about the roles and you said you had 336 out of 370. Can you just clarify that obviously means you are not at UN standard? It's only when you hit 370 people in the role that you will actually be at that UN standard.

NATASHA MANN: That's a good question of clarification. I'll take that on notice.

**ANSWER:**

The International Labour Organisation benchmark is one inspector for every 10,000 workers.

As at 17 October 2022, SafeWork NSW has 370 field inspector roles with 336 roles currently filled. As of September 2022, NSW has 4,285,500 employed people [1]. Based on the number of employed people in NSW, the current ratio of Inspectors is 1:12,574 workers.

[1] Australian Bureau of Statistics Labour Force Survey - <https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/latest-release#states-and-territories>

The Hon. PETER PRIMROSE: So the only process to overturn it at the moment would be, Ms Mann, for you to simply say, "I've overturned it"?

NATASHA MANN: The process is set up so that it's peer reviewed and its majority vote. As I said, I haven't in my 11 months had cause to intervene in any way, and in fact the matters have gone from that panel to the prosecution unit. I think what I'm saying, Mr Primrose, is I'm looking into that now.

The Hon. PETER PRIMROSE: But there isn't a mechanism written down at the moment?

NATASHA MANN: There may well be, but I'm trying to get some advice on that.

The Hon. PETER PRIMROSE: Can you please take it on notice then?

NATASHA MANN: Yes

**ANSWER:**

The IDMP Framework provides a mechanism to overturn decisions made by the IDMP in relation to fatal workplace incidents. Where an Inspector has recommended further investigation with the view of criminal prosecution arising from a fatal workplace incident, and the IDMP does not support the recommendation, the matter is referred to the Deputy Secretary, Better Regulation Division for determination, in consultation with the Executive Director, Compliance and Dispute Resolution and Executive Director, Investigations and Enforcement.

There is at least one recent example where the referral to the Deputy Secretary has not occurred. This departure from the framework will be examined as part of the review commissioned by the Deputy Secretary into the IDMP.

The Hon. ANTHONY D'ADAM: Yes, I was wondering whether the I stands for independent or whether—  
MATTHEW PRESS: It stands for investigation.

NATASHA MANN: It actually stands for investigation. That's one of the things—

The Hon. ANTHONY D'ADAM: So neither independent nor internal.

NATASHA MANN: Yes, that's right. I thought it was independent, but it's actually investigative. That's one of the issues that I think confuses people. They think that it hasn't gone to investigation until it goes to that panel. Actually, in many cases, the inspector has done a very thorough investigation and there have been multiple notices and compliance action taken before it gets to that panel. That panel is about determining whether it then goes to prosecution. I read out those factors that it considers. Some of it is reasonable prospects of success. We can't prosecute, nor should we prosecute, every single matter. That panel is about determining which ones go to prosecution

The Hon. ANTHONY D'ADAM: Does it have written terms of reference?

NATASHA MANN: It does. We've got some terms of reference, and we've got the documents that they—

The Hon. ANTHONY D'ADAM: Could you provide those to the Committee?

NATASHA MANN: Absolutely.

**ANSWER:**

The IDMP Terms of Reference (TOR) contain the panel's role, functions, membership and governance. The TOR states a quorum consists of the Chair and at least four voting members (or their nominated delegates). The TOR is at **Tab D**.

The IDMP Chair facilitates the voting process where each voting IDMP member agrees to support or not support the Inspector's recommendation. The outcome of the vote is recorded and minuted. As the breakdown of the vote is not recorded, there is no related data available.

On 18 October 2022, the Head of SafeWork NSW and Deputy Secretary of BRD in the Department of Customer Service (DCS) established a review of the IDMP including its membership and TOR to ensure its effectiveness. During the review period, the Executive Director, Investigations and Enforcement will chair the IDMP.

The Hon. ANTHONY D'ADAM: What was the outcome of that inspection on 8 January?

MATTHEW PRESS: The site was closed on that day, according to the inspector notes from—

The Hon. ANTHONY D'ADAM: That's not listed in the answer. It states at (b): Workplace Incident: onsite visits on 27 January 2021, 28 January 2021, 3 February 2021 ... Did you say someone visited on 8 January?

NATASHA MANN: Yes, that's information, Mr D'Adam, that because we've done a further interrogation of the file we've uncovered. We can provide that information to you. Yes, there was a visit on 8 January.

**ANSWER:**

On 8 January 2021, an inspector attended the site in response to a Request for Service received on 6 December 2020. Unfortunately this timeframe does not meet our standard response times. No work was occurring at the



time of the inspector visit and the gates to the site were locked. It was determined the site was closed due to the holiday shut down and work would resume sometime later in January 2021.

The business re-opened for 2021 in the same week the incident occurred.

The Hon. PETER PRIMROSE: May I in the last few seconds, Mr D'Adam, ask one quick question? Please take it on notice. In terms of the IDMP overturning decisions, can you please tell us on notice how many of those decisions were overturned in 2021 and 2022 to date? How many of those involved deaths or serious injury?

NATASHA MANN: I think Ms McCool has given you the data already, in terms of the numbers overturned but not supported for original decision. I think we can delve into what they related to. Absolutely.

**ANSWER**

Recommendations of Inspectors not accepted:

2021 = 7

- 6 recommending further investigation
  - 5 relating to serious injury
  - 1 dangerous incident
- 1 recommending no further investigation (serious injury)

2022 = 4 (as at 2 November 2022)

- 4 recommending further investigation
  - 1 fatality
  - 3 relating to serious injury

## Investigations Decision Making Panel (IDMP) Terms of Reference (ToR)

### Objective

The role of the Panel is to:

- promote a proportionate response to the level of risk and/or alleged non-compliance
- promote consistency by confirming factors to be considered in the decision-making process
- ensure investigation decisions are transparent, and ensure those who make decisions are accountable for them
- support good governance and a system for ongoing learning, peer review and recording of decisions and their rationale
- consider Safe Work Australia and SafeWork NSW compliance policies and guidelines
- be responsible for the achievement of outcomes in accordance with its functions:
  - act as an expert reference group
  - provide strategic advice and input when considering endorsement of submissions
  - include consideration of what are the most appropriate responses to a particular incident, either in place of, or in addition to, a full investigation (e.g. drafting prevention messages, intensive engagement, etc) and
  - be the decision maker for matters proceeding to full investigation.

The Panel will:

- review any notified fatalities and consider harm prevention activities
- note matters automatically accepted for investigation and consider harm prevention activities
- recommend action when emerging issues become evident
- consider Coronial recommendations made to SafeWork NSW and facilitate responding actions
- consider, discuss, and endorse (where appropriate) the issuing of warning letters and/or Penalty Notices arising from matters brought to the attention of the Panel, referring to the relevant team when a decision is made not to proceed with the matter
- consider the principle of double jeopardy where a Penalty Notice has already been issued and an investigation therefore may not be suitable as the offender has already been penalised
- review SafeWork NSW directorate submissions and their recommendations to proceed or not to proceed to investigation
- consider each submission and its alignment with the criteria for guiding the decision-making process



- consider impacts of further punishment through legal action where the injured/deceased person is an immediate family member<sup>1</sup> of the PCBU.
- make recommendations for other action in addition to, or in lieu of an investigation such as:
  - prevention messages
  - working with the entity (directed engagement or standard compliance activity)
  - the issuing of Penalty Notices for non-notification offences.
- make one of the following decisions:
  - accept the recommendation and refer the matter to the relevant SafeWork NSW business for investigation and or ongoing management
  - refer the matter back to the responsible SafeWork NSW directorate for further information or
  - not accept the recommendation and refer the matter to the relevant SafeWork NSW directorate for investigation and or ongoing engagement and management as appropriate.
- review incidents that have occurred within any of the agencies making up the Department of Customer Service (DCS) and determine if the matter should be referred to the Resource Regulator for investigation.

The Panel will not:

- make recommendations related to work health and safety (WHS) or explosive laws with respect to licencing and fraud and where there has been no incident or injury to a worker.

## Membership

### Chair

SafeWork NSW Directors will convene the Panel on a rotating basis for a period of 2 years, coinciding with the review schedule for the Investigation Decision Making Framework (IDMF).

The Chair is responsible for the proper conduct of the Panel including ensuring:

- decisions of the Panel are consistent with the IDMF
- submissions to the Panel are dealt with in a timely manner and
- panel members appropriately participate.

The Chair will absent themselves from the role should the IDMP be considering their matter/s.

If the designated Chair is not available, then a person nominated by the Chair (referred to as the Acting Chair) will be responsible for convening and conducting that meeting.

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<sup>1</sup> A spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild or sibling of a PCBU, or a child, parent, grandparent, grandchild or sibling of a PCBU's spouse or de facto partner. It includes step-relations (e.g. step-parents and step-children) as well as adoptive relations.

## Panel Members

The Panel's substantive membership will include the appropriate SafeWork NSW Directors within the Better Regulation Division's Compliance and Dispute Resolution and Investigations and Enforcement functional streams. All Directors will attend scheduled meetings or send an appropriate delegate.

## Quorum

A quorum of the Panel consists of a designated or Acting Chair and at least four members (or their nominated delegates).

## Expectations of Members

Members of the Panel are expected to:

- attend the meetings as scheduled, and if unable to attend, ensure an appropriate delegate attend on your behalf and subsequently provides you a full briefing to ensure continuity is maintained
- undertake duties assigned by the panel within the timeframes specified
- positively participate in the considerations of the panel by being appropriately prepared for the discussion
- ensure relevant staff are informed of the decisions of the panel and
- be an advocate for the Investigations Decision Making Framework and for the decisions of the Panel.

The Panel members are not to disclose any confidential information obtained while performing Panel duties.

**Important note:** Director/s are accountable for ensuring the recommendations of the Panel are actioned and reported to the Secretariat. Should a recommendation not progress as proposed, or other action is taken, it is the responsibility of the relevant Director to report back to a meeting of the Panel.

## Meetings

### Frequency of meetings

The Panel will meet fortnightly or as otherwise required to review recommendations made by the relevant SafeWork NSW directorate.

### Meeting conduct

The Panel members will:

- be respectful and constructive
- be prepared and participative
- encourage creative, open, and frank discussion
- ensure all views are heard and

- endeavour to reach a consensus on issues.

A representative of the Investigations and Emergency Response (IER) directorate will attend each meeting and act as Secretariat to the Panel. The Secretariat will be responsible for organising Panel meetings, preparation and circulation of the agenda, meeting papers, preparation of minutes and maintaining records.

### Issue resolution

Where the Panel members are unable to reach a majority view, a determination for and on behalf of the Panel will be made by the Chair.

The Panel provides the opportunity for representations relating to individual matters to be made by interested parties and welcomes open discussion and debate on matters under consideration.

Any concerns related to the running of the Panel should be raised directly with the Panel in the first instance. If a particular concern cannot be resolved, the matter should be referred to the Executive Director, Investigations and Enforcement, Better Regulation Division.

### Panel Decisions out of Session

Out of session actions will be limited but may be required to deal with urgent matters. The Panel may decide on a submission without a meeting provided the process is in accordance with the Investigation Decision Making Framework and the following procedures are complied with:

- the submission may be circulated in electronic form
- Panel members may reply in electronic form and
- it must be signed by relevant Panel members at the earliest opportunity after the recommendation has been endorsed.

Any decisions made in this manner will be confirmed in the minutes of the Panel at the next meeting and recorded in the Panel Log.

### Records of the Panel

#### Recording the decisions of the Panel

The Panel will record decisions in the Panel Log. The Log will contain a unique identifier, a description of the matter under consideration and the rationale that supports the decision. The Panel Log will be established each calendar year. Upon close of the calendar year, the Panel will close the Log, attach this to the SafeWork NSW directorate logs and file accordingly.

#### Reporting

An analysis of matters submitted to the Panel will be provided quarterly by IER for consideration at the first meeting of the Panel following the close of the quarter.

## Review

The Terms of Reference will be reviewed every two years or at the request of the Chair as required.

### Guidance notes

The Panel may establish the authority to develop guidance materials to assist the consistent application of the Policy.

### Metadata and document change control

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The Business Owner identified has responsibility for the maintenance of this document.

### Document change control

**Attention: only Authorised Editors may make permanent changes to this document. The Director of the Business Area of origin has responsibility for the authorisation of this document if it is a policy.**

Please note significant document changes with a version increment of 1.0. Minor administrative changes, where the meaning or intention of the document is not altered should increase by an increment of 0.1.

Version	TRIM Doc No.	Date	Authors	Summary of Changes
1.0	D13/145739	06 Apr 11	Investigations Management Working Group	New Document
2.0	D13/145739	10 Feb 12	Investigations Decision Making Panel	<p>6 Month policy review</p> <p>Update to team name/position name from IRG to Operations Group</p> <p>Update to reflect the new WHS legislation</p> <p>Update to 'share responsibilities between co-regulators' section to include guidance around civil aviation matters</p> <p>Update to 'criteria for guiding the decision making process' to</p> <p>Update the target areas</p> <p>Update the guiding principles</p> <p>Expand Panel functions to include</p> <p>Review of fatalities since the last meeting</p> <p>Recommendations for prevention activities / work with the entity</p> <p>Updates to the 'governance' to</p> <p>Represent the Panel as the decision maker</p> <p>Update to the process chapter to reflect changes to the 'criteria for guiding the decision-making process</p> <p>Renamed 'Governance' chapter to 'The role of the Panel.</p>
3.0	D13/145739	May13	Investigations Decision Making Panel	<p>Updated in line changes to First Response protocols and Response Operations - Investigations responding to more matters. The decision-making process has been rationalised for these matters.</p> <p>Definition of 'Investigation' updated</p> <p>Chapter 5 'Criteria'</p> <p>Chapter 6, Process, Submissions to the Panel; updated section 2-4 to reflect changes to target area 2 which is accepted for automatic investigations with these noted by the Panel.</p> <p>Chapter 6, Process, Consideration by the Panel; added delivery of the hard copy file to point 1 in this process.</p> <p>Chapter 6, Process, Consideration by the Panel; added guidance around graphic visual material presented to the Panel.</p> <p>Transfer of Policy to new corporate template</p> <p>Update to Appendix D 'Submission template'</p>
4.0	D13/145739	Sept 15	Investigations Decision Making Panel	<p>Outcomes from: Medlock Review of Investigations Decision Making; recommendations from the Investigations Decision Making Panel; outcome of consultation on recommendation 21 of the Law and Justice Committee Report into WorkCover</p>

				<p>NSW. Summary of changes:</p> <p>Information on the approach to be adopted in relation to public-safety related issues</p> <p>Guidance on the use of the terminology “public interest” and “foreseeability of the risk”</p> <p>Minor changes to target area definitions for clarity</p> <p>Clarification of processes for referring matters to the IDMP</p> <p>Incorporation of the Terms of Reference and example of a Serious Injury Review form</p> <p>Updated references to SafeWork NSW</p>
4.1	D13/145739	March 16	Investigations Decision Making Panel	Changes to Appendix F <i>Template IDMP Submission</i>
4.2	D13/145739	May 16	J Balshaw	Changes to Appendix B to remove list and link to WHSDOM register
5	D13/145739	Aug 17	Endorsed by IDMP on 24 January 2018	<p>Updated to reflect:</p> <ul style="list-style-type: none"> <li>• New SafeWork NSW operating structure</li> <li>• Referral of matters to IDMP involving risk of psychological injury</li> <li>• Referral of matters to resources regulator</li> </ul> <p>Legislative references updated and stream-lined</p> <p>“Decision Making Process” (Chapter 5) updated to clarify processes relating to:</p> <ul style="list-style-type: none"> <li>• Automatic acceptance</li> <li>• Submission to the Panel</li> <li>• Use of serious incident review form and Directorate log</li> </ul> <p>Addition of WSMS actions in Record Keeping section</p>
5.1	D18/094716	26.03.2018	A/Assistant Project Officer, Operational Practice	Updated to reflect SafeWork rebranding. Updated format – converted into HTML format. Identified and inserted all related documents and legislation throughout the procedure.
5.2	D18/094716	24.05.2018	Graduate, Operational Practice	Update to business owner, amended to SafeWork NSW logo.
5.3	D18/094716	01.06.2018	Graduate, Operational Practice	Merged changes from D13/145739 into this document.
5.4		16.8.2018	SPO Operational Practice	Updated reference in related documents
5.5		27.08.2018	SPO Operational Practice	Removed numbering attached to headings
5.6	D19/147021	20.6.2019	SPO Operational Practice	Removal of reference to Rural Workers Accommodation Act
6.0		31.01.2020	Director,	Substantial revision to reflect:



			Investigations and Emergency Response	<ul style="list-style-type: none"> <li>• New functional structure of SafeWork NSW with Better Regulation Division</li> <li>• Statutory amendment in late 2019 to allow for penalty notices to be issued for non-notification of incidents</li> <li>• Use of WHS rating in submissions made to the Panel</li> <li>• Updating Terms of Reference in accordance with new structure</li> <li>• Minor administrative amendments to improve readability or to ensure consistency throughout the document</li> </ul>
6.1	D22/144340	25.05.2022	Manager, Investigations and Emergency Response and Investigations Decision Making Panel	<ul style="list-style-type: none"> <li>• Annual review</li> <li>• Update to reflect Investigations Decision Making Framework intent</li> </ul>

# People Matter

NSW Public Sector  
Employee Survey 2022

## Organisational Unit Report

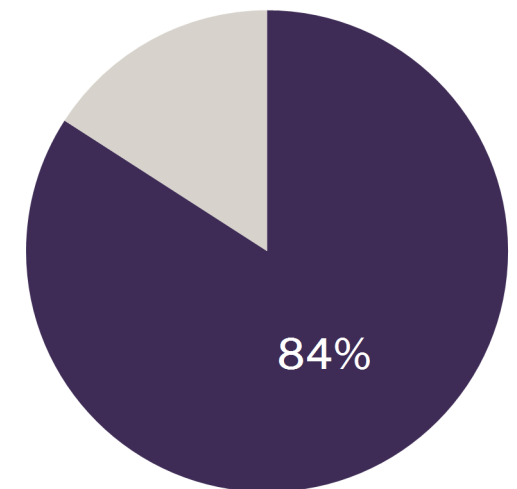
# Better Regulation

**Survey period:** 22 August to 16 September 2022

**Completed surveys:** 1,599

**Response rate:** 84%

Response rate:



### **NSW public sector**

- ▶ Customer Service
  - ▶ Department of Customer Service
    - ▶ Better Regulation

This shows where the report unit sits in the survey's organisational hierarchy.

**High level results..... 4**

**Results by topic.....9**

**Results by child unit and demographic group..... 38**

**Additional information about the survey..... 46**

## High level results

Discover key results and patterns

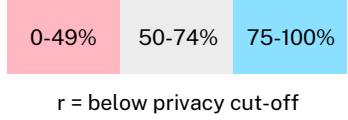
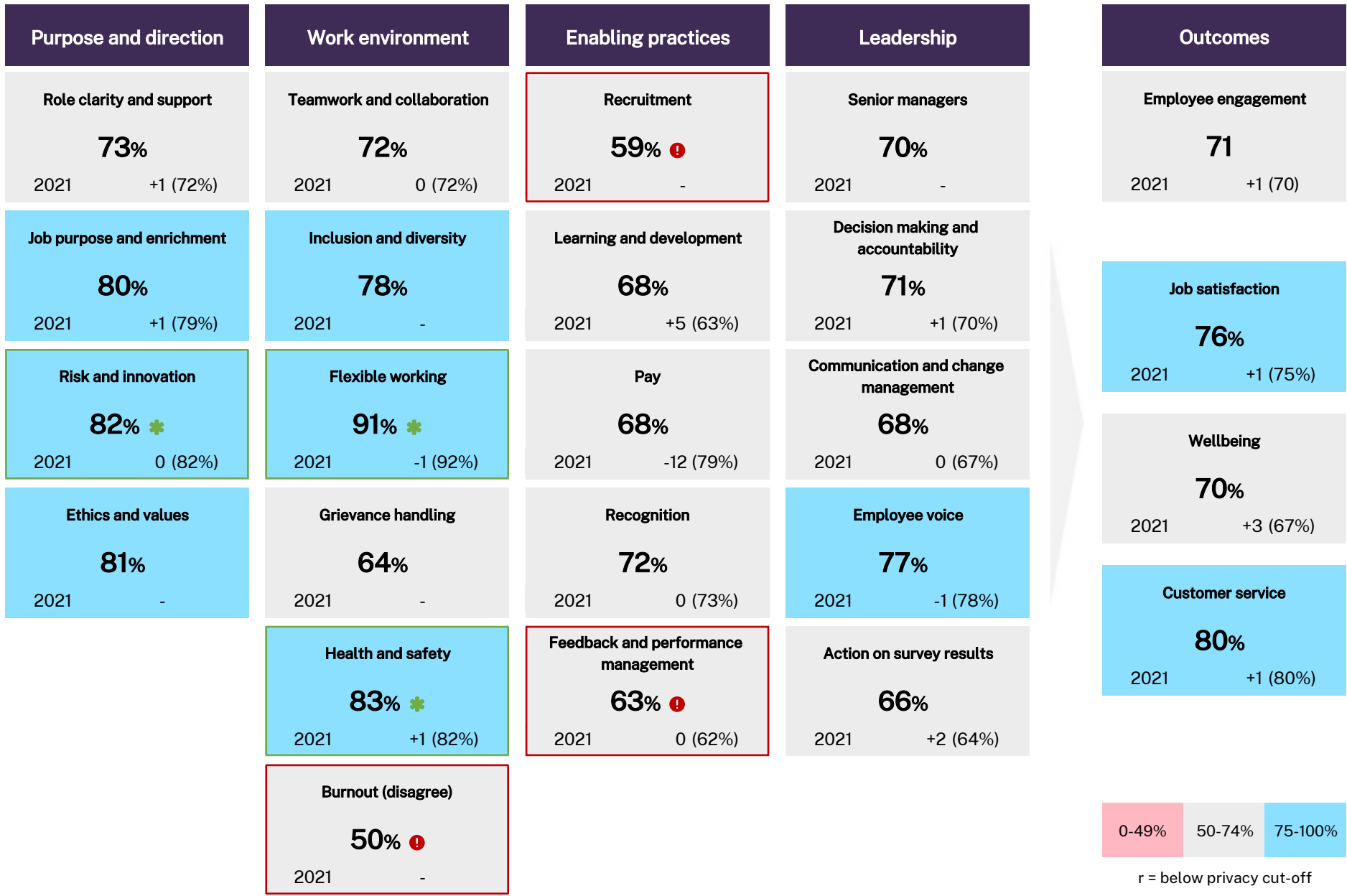
## Headline results for key topics

These are the % favourable scores for key survey topics. Each topic relates to an area of employee experience.



We've flagged the top 3 (\*) and bottom 3 (!) topics for you. Use these topics as a starting point for exploring your results.

See 'Additional information about the survey' for interpretation guidance including the burnout (disagree) question and details about the survey model.





## Highest and lowest questions

These are the questions with the highest and lowest % favourable scores. % favourable is based on the respondents who selected 'strongly agree' or 'agree'.

<span>+</span> Questions with the highest favourable scores			2022 % favourable	difference from 2021
Risk and innovation	1l	I am comfortable notifying my manager if I become aware of any risks at work	92%	+1
Ethics and values	7q	I support my organisation's values	92%	-
Flexible working	8e	How satisfied are you with your ability to access and use flexible working arrangements?	91%	-1
Flexible working	8f	My manager supports flexible working in my team	91%	-2
Inclusion and diversity	2b	People in my workgroup treat each other with respect	88%	0

<span>-</span> Questions with the lowest favourable scores			2022 % favourable	difference from 2021
Burnout (disagree)	1n	I feel burned out by my work (disagree)	50%	-
Communication and change management	7b	Change is managed well in my organisation	52%	+3
Recruitment	7f	My organisation makes fair recruitment and promotion decisions	54%	-
Feedback and performance management	5g	My manager appropriately deals with employees who perform poorly	55%	+2
Feedback and performance management / Role clarity and support	3e	My performance is assessed against clear criteria	61%	0

### Difference from (percentage point)

+5 or more

+4 to -4

-5 or less

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## Most and least improved questions

### + Most improved questions

			2022 % favourable	difference from 2021
Learning and development	7e	My organisation is committed to developing its employees	69%	+6
Learning and development	3g	I am satisfied with the opportunities available for career development in my organisation	64%	+5
Wellbeing	1m	In general, my sense of wellbeing is..	70%	+5
Learning and development / Role clarity and support	3f	I have received the training and development I need to do my job well	71%	+4
Customer service	1k	I am empowered to make the decisions needed to help customers and/or communities	81%	+3

### - Least improved questions

			2022 % favourable	difference from 2021
Pay	4	I am paid fairly for the work I do	68%	-12
Recognition	5f	My manager provides recognition for the work I do	79%	-3
Employee voice / Senior managers	6e	Senior managers listen to employees	64%	-3
Ethics and values / Senior managers	6b	Senior managers model the values of my organisation	72%	-2
Flexible working	8f	My manager supports flexible working in my team	91%	-2

#### Difference from (percentage point)

+5 or more   +4 to -4   -5 or less

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These are the most and least improved questions by difference from the previous year.

Consider why these scores have shifted. Was it due to actions you took in response to last year's survey results or something else?

## Key drivers for engagement

The key driver analysis identifies questions with the strongest influence on your employee engagement.

Key drivers are split into strengths (high correlation, high score) and priorities (high correlation, low score). Look for ways to maintain your strengths and improve your priorities.

Topic	Engagement key driver questions		2022 % favourable	Action
Learning and development	7e	My organisation is committed to developing its employees	69%	Maintain
Employee voice / Senior managers	6e	Senior managers listen to employees	64%	Maintain
Customer service	7h	The processes in my organisation are designed to support the best experience for customers	70%	Maintain
Risk and innovation	7a	My organisation is making improvements to meet future challenges	72%	Maintain
Recognition	7o	I receive adequate recognition for my contributions from my organisation	65%	Maintain
Ethics and values	7p	My organisation shows a commitment to ethical behaviours	80%	Maintain

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## Results by topic

Discover more about your results

Employee engagement is about a person's connection to their organisation. It is a global measure of employee experience.

Many factors influence engagement: leadership, a positive and inclusive work culture, wellbeing, manager support, accountability, and flexible work to name a few.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Employee engagement (total score)*</b>				<b>71</b>	+1	+7	-2
7j I would recommend my organisation as a great place to work	77	15	8	77%	+1	+15	-3
7k I am proud to tell others I work for my organisation	77	16	7	77%	+3	+8	-4
7l I feel a strong personal attachment to my organisation	66	21	13	66%	+1	+5	-1
7m My organisation motivates me to help it achieve its goals	69	19	12	69%	+3	+15	-3
7n My organisation inspires me to do the best in my job	69	20	12	69%	+3	+14	-4

\*See 'Additional information about the survey' for more details on how we calculate the employee engagement score.



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Intention to stay refers to an employee's desire and willingness to remain with their current organisation. Intention to stay can be influenced by many aspects of employee experience, including engagement.

Intention to stay is a leading indicator for turnover. However, intention doesn't always translate into action.

19n How long do you think you will continue to work in your current organisation?		2022 % respondents	difference from 2021	difference from Sector	difference from Cluster
Less than 1 year		6%	-2	-3	-2
1 year to less than 2 years		8%	0	-2	-2
2 years to less than 5 years		22%	-1	+2	0
5 years to less than 10 years		24%	-3	-1	+1
10 years to less than 20 years		25%	+2	+2	+5
More than 20 years		16%	+4	+1	-1

Difference from (percentage point)

+5 or more

+4 to -4

-5 or less

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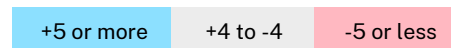


## Job satisfaction

Like employee engagement, job satisfaction is a global measure of employee experience. While employee engagement operates at the organisational level, job satisfaction operates at the job or role level.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Job satisfaction (total score)</b>				<b>76%</b>	+1	+8	-1
1g My job gives me a feeling of personal accomplishment	77	13	10	77%	+2	+4	-1
1h I feel motivated to contribute more than what is normally required at work	75	13	12	75%	+2	+9	-1
1i I am satisfied with my job	76	12	11	76%	0	+10	0

### Difference from (percentage point)

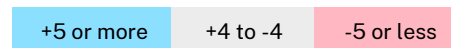


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Wellbeing means feeling good, functioning well, and experiencing satisfaction and fulfilment in work and life.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Wellbeing (total score)</b>				<b>70%</b>	+3	+12	-2
1j I can keep my work stress at an acceptable level	71	16	13	71%	+2	+13	-3
1m In general, my sense of wellbeing is..	70	23	7	70%	+5	+11	-1

**Difference from (percentage point)**

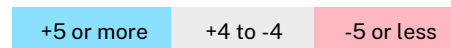


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Customer means the people who you or your organisation provide a service to.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Customer service (total score)</b>					<b>80%</b>	+1	+11	-1
1k	I am empowered to make the decisions needed to help customers and/or communities	81	11	8	81%	+3	+12	+2
2c	People in my workgroup can explain how their work impacts customers	88	8		88%	+1	+7	+1
2d	My workgroup considers customer needs when planning our work	86	9		86%	0	+4	-2
6d	Senior managers communicate the importance of customers in our work	82	12		82%	-1	+18	+1
7h	The processes in my organisation are designed to support the best experience for customers	70	18	12	70%	+2	+13	-4
7i	My organisation meets the needs of the communities, people, and/or businesses of NSW	76	17	8	76%	+1	+12	-6

**Difference from (percentage point)**



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## Role clarity and support

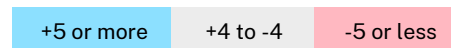
### Purpose and direction

An employee has role clarity when they understand their goals, how to achieve these goals, and how the goals link to broader strategy.

Even when an employee does have role clarity, they need the right support to deliver. Support can come in the form of time, tools and technology, and training.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Role clarity and support (total score)</b>				<b>73%</b>	+1	+9	-1
1a I understand what is expected of me to do well in my job	85	8	7	85%	+1	+1	-1
1b I get the support I need to do my job well	75	12	12	75%	0	+13	-2
1c I have the tools and technology to do my job well	78	10	12	78%	0	+10	-1
1d I have the time to do my job well	69	14	18	69%	+1	+17	-2
3e My performance is assessed against clear criteria	61	24	15	61%	0	+6	-1
3f I have received the training and development I need to do my job well	71	16	13	71%	+4	+8	+1

#### Difference from (percentage point)



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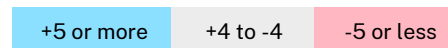
## Job purpose and enrichment

### Purpose and direction

In addition to role clarity and support, employees are likely to feel more satisfied with their job when there is a clear sense of purpose and when it is enriched with characteristics such as skill variety, autonomy, and feedback.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Job purpose and enrichment (total score)</b>				<b>80%</b>	+1	+10	+2
1e My job gives me opportunities to use a variety of skills	84	9	7	84%	+3	+5	+2
1f I have a choice in deciding how I carry out day to day work tasks	87	7		87%	0	+16	+11
3d In the last 12 months, I have received feedback to help me improve my work	72	16	12	72%	-1	+9	-2
5h My manager communicates how my role contributes to my organisation's purpose	78	13	9	78%	+3	+9	-2

#### Difference from (percentage point)



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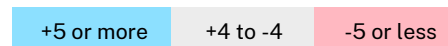
Risk refers to the effect of uncertainty in achieving work goals. Risk can relate to many things in the workplace.

Innovation means creating new and better products, processes services, and technologies to improve outcomes for the people of NSW.

A healthy risk appetite can help foster innovation.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Risk and innovation (total score)</b>					<b>82%</b>	0	+9	-2
1l	I am comfortable notifying my manager if I become aware of any risks at work	92			92%	+1	+6	-1
5a	My manager encourages people in my workgroup to keep improving the work they do	82	11		82%	-1	+8	-3
7a	My organisation is making improvements to meet future challenges	72	20	8	72%	0	+15	-4

#### Difference from (percentage point)



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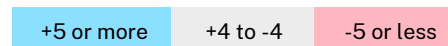


Ethics refer to the standards for morally right and wrong conduct. Ethical behaviours means behaving in ways that are ethical, lawful, build trust, and demonstrate the sector's core values.

Values are beliefs that guide and motivate attitudes and actions. An organisation's values are a set of guiding beliefs upon which the organisation is based. They help people function together as one and shape the way employees should operate and achieve outcomes.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Ethics and values (total score)</b>					<b>81%</b>	-	+12	-1
6b	Senior managers model the values of my organisation	72	18	9	72%	-2	+19	+1
7p	My organisation shows a commitment to ethical behaviours	80	13		80%	-	+10	-5
7q	I support my organisation's values	92		7	92%	-	+7	-1

Difference from (percentage point)



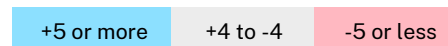
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Delivering for the people of NSW requires agencies to work together and share knowledge internally and with other sectors.

Well executed collaboration enables agencies to share knowledge ideas, resources, skills, networks, and assets, leading to better outcomes for customers.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Teamwork and collaboration (total score)</b>				<b>72%</b>	0	+10	-2
2a My workgroup works collaboratively to achieve its goals	84	9	7	84%	0	+5	-2
6c Senior managers promote collaboration between my organisation and other organisations we work with	70	21	9	70%	-1	+18	+3
7c There is good co-operation between teams across my organisation	62	20	18	62%	0	+8	-6

#### Difference from (percentage point)

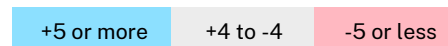


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An inclusive workplace is one where all employees can participate and contribute. It is one where everyone feels valued, accepted, and supported to thrive at work.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Inclusion and diversity (total score)</b>				<b>78%</b>	-	+10	-1
2b People in my workgroup treat each other with respect	88			88%	0	+8	-2
6f Senior managers support the career advancement of all employees	65			65%	-	+21	+4
8a Personal background is not a barrier to participation in my organisation (e.g. cultural background, age, disability, sexual orientation, gender)	84			84%	-2	+6	-2
8b I can speak up and share a different view to others in my organisation	77			77%	0	+10	-2
8c I feel that I belong in my organisation	77			77%	0	+7	-2

Difference from (percentage point)

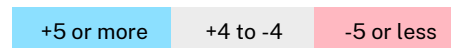


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Flexible working is about rethinking where, when, and how people work, in ways that maintain or improve service delivery for the people of NSW.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Flexible working (total score)</b>					<b>91%</b>	-1	+28	+6
8e	How satisfied are you with your ability to access and use flexible working arrangements?				91%	-1	+31	+8
8f	My manager supports flexible working in my team				91%	-2	+26	+4

**Difference from (percentage point)**



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Flexible working is about rethinking where, when, and how people work, in ways that maintain or improve service delivery for the people of NSW.

8d Type of flexible working	2022 % respondents	difference from 2021	difference from Sector	difference from Cluster
Flexible start and finish times	85%	-2	+41	+23
Working more hours over fewer days	13%	0	+3	-3
Working additional hours to make up for time off	33%	+4	+15	+7
Flexible scheduling for rostered workers	5%	0	-2	-3
Part-time work	6%	0	-5	-2
Job sharing	1%	0	-2	0
Working from different locations	35%	+11	+15	+11
Working from home	91%	-1	+43	+17
Purchasing annual leave	1%	0	-1	0
Leave without pay	4%	+1	-4	-3
Study leave	1%	-1	-3	0
Other	2%	0	-1	-1
None of the above	2%	0	-24	-7

Difference from (percentage point)

+5 or more

+4 to -4

-5 or less

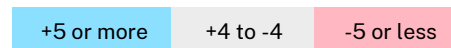
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A grievance is any type of problem, concern, dispute, or complaint related to work or the work environment which cannot be resolved through usual communication.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
10	If I raised a grievance in my organisation, it would be handled in a fair and objective manner	64	25	12	64%	-	+11	-7

\*See p.37 for related results on negative workplace behaviours.

#### Difference from (percentage point)

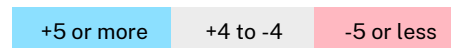


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Work health and safety (WHS) involves the management of risks to the health and safety of everyone in your workplace. Health refers to both physical and psychological health.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Health and safety (total score)</b>					<b>83%</b>	+1	+14	-2
7r	I am confident work health and safety issues I raise will be addressed promptly				84%	+2	+10	-3
7s	There are effective resources in my organisation to support employee wellbeing				83%	+1	+18	-1

**Difference from (percentage point)**



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## Burnout (disagree)

### Work environment

Burnout is typically characterised by ongoing feelings of:

- energy depletion / exhaustion
- negativity or cynicism about one's job
- reduced professional effectiveness.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
1n I feel burned out by my work (disagree)	50	26	24	50%	-	+16	+2

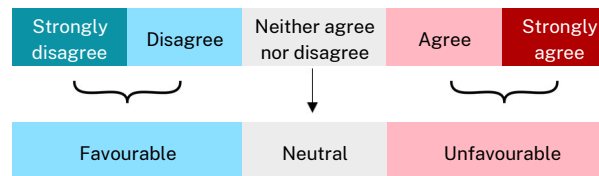
#### Note on interpretation:

This question is negatively worded. It differs in interpretation from other questions in this survey, because disagreement is considered a positive response.

The score provided for the burnout question indicates the % favourable responses (i.e. 'strongly disagree' and 'disagree' responses).

The favourable score (blue bar) shows the % of respondents that did not feel burned out by their work.

The unfavourable score (red bar) shows the % of respondents that did feel burned out by their work.



#### Difference from (percentage point)

+5 or more	+4 to -4	-5 or less
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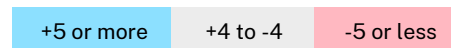
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Recruitment refers to the process of attracting, screening, and onboarding people.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Recruitment (total score)</b>					<b>59%</b>	-	+10	-4
7f	My organisation makes fair recruitment and promotion decisions	54	24	21	54%	-	+10	-3
7g	My organisation generally selects capable people to do the job	63	20	17	63%	0	+10	-4

**Difference from (percentage point)**

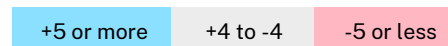


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Access to learning and development programs helps employees achieve their performance and career goals. Learning and development also help agencies to grow the right employee capabilities to deliver business outcomes.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Learning and development (total score)</b>					<b>68%</b>	<b>+5</b>	<b>+13</b>	<b>+1</b>
3f	I have received the training and development I need to do my job well	71	16	13	71%	+4	+8	+1
3g	I am satisfied with the opportunities available for career development in my organisation	64	17	19	64%	+5	+15	+3
7e	My organisation is committed to developing its employees	69	18	12	69%	+6	+17	-1

**Difference from (percentage point)**



r = below privacy cut-off

Having a mobile workforce makes it easier to redeploy resources to match priorities and respond to emerging issues.

Mobility is regarded as one of the best ways to develop leadership capability, provide enriching careers, and build and retain 'know how' in an organisation and the NSW public sector more broadly.

3h Are you currently looking, or thinking about looking, for a new role within the NSW public sector but outside of your current workplace to broaden your experience?	2022 % respondents	difference from 2021	difference from Sector	difference from Cluster
Yes	40%	+1	-2	-6
No	60%	-1	+2	+6

### 3i Are there barriers preventing you from moving to another role? If so, what are they?

Lack of visible opportunities		17%	-5	-10	-5
Lack of promotion opportunities		21%	-5	-6	-3
Lack of support from my manager / supervisor		6%	-1	-6	-1
Geographic location considerations		22%	+1	-2	+4
Personal / family considerations		27%	+3	-4	+4
Insufficient training and development		11%	-3	-4	-1
Lack of required capabilities or experience		13%	-1	+1	-2
Lack of support for temporary assignments / secondments		9%	-2	-6	-2
The application / recruitment process is too cumbersome or time consuming		25%	-2	+3	+4
Other		8%	0	-2	-1
There are no major barriers to my career progression		36%	+3	+8	0

Difference from (percentage point)

+5 or more

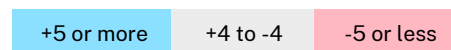
+4 to -4

-5 or less

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	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
4 I am paid fairly for the work I do	68	14	18	68%	-12	+20	+4

Difference from (percentage point)

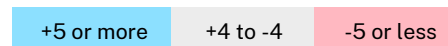


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Recognition involves recognising employees' contributions and achievements in the workplace through formal and informal channels.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Recognition (total score)</b>				<b>72%</b>	0	+12	-1
5f My manager provides recognition for the work I do	79	13	8	79%	-3	+9	-2
7o I receive adequate recognition for my contributions from my organisation	65	20	14	65%	+2	+16	-1

**Difference from (percentage point)**



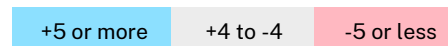
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Underpinning a high performance culture is an effective system for managing individual, team, and organisational performance.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Feedback and performance management (total score)</b>					<b>63%</b>	0	+7	-3
3d	In the last 12 months, I have received feedback to help me improve my work	72	16	12	72%	-1	+9	-2
3e	My performance is assessed against clear criteria	61	24	15	61%	0	+6	-1
5g	My manager appropriately deals with employees who perform poorly	55	31	14	55%	+2	+6	-5

		2022 % respondents	difference from 2021	difference from Sector	difference from Cluster
<b>Performance management process</b>					
3a	I have a performance and development plan that sets out my individual goals	71%	-4	0	+3
3b	I have informal feedback conversations with my manager	87%	+1	+8	+2
3c	I have scheduled feedback conversations with my manager	79%	+2	+16	+2

Difference from (percentage point)



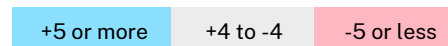
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Leadership is key in setting direction, executing strategy, shaping culture and capability, inspiring purpose, and delivering results.

The term 'senior managers' refers to the group of senior managers in your organisation, not an individual manager.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Senior managers (total score)</b>				<b>70%</b>	-	+19	+2
6a Senior managers provide clear direction for the future of the organisation	68	19	13	68%	-1	+18	+1
6b Senior managers model the values of my organisation	72	18	9	72%	-2	+19	+1
6c Senior managers promote collaboration between my organisation and other organisations we work with	70	21	9	70%	-1	+18	+3
6d Senior managers communicate the importance of customers in our work	82	12		82%	-1	+18	+1
6e Senior managers listen to employees	64	21	15	64%	-3	+20	+2
6f Senior managers support the career advancement of all employees	65	23	12	65%	-	+21	+4

Difference from (percentage point)



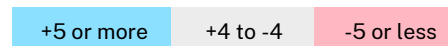
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Decision making is the process of making choices by identifying a decision, gathering information, and assessing alternative resolutions.

Accountability is one of the four core NSW public sector values. It is about taking responsibility for decisions and actions. Accountability can add meaning to work and foster engagement.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Decision making and accountability (total score)</b>					<b>71%</b>	+1	+11	-3
5e	I have confidence in the decisions my manager makes	80		11 9	80%	-1	+8	-2
7d	People in my organisation take responsibility for their own actions	62		23 15	62%	+3	+14	-5

#### Difference from (percentage point)



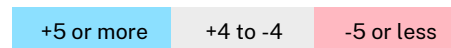
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Effective communication is proactive and timely and focuses on the most important points. What do employees need to know and how does it affect them?

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Communication and change management (total score)</b>				<b>68%</b>	0	+13	-2
5b My manager communicates effectively with me	82	9	9	82%	-1	+8	-2
6a Senior managers provide clear direction for the future of the organisation	68	19	13	68%	-1	+18	+1
7b Change is managed well in my organisation	52	26	22	52%	+3	+13	-5

**Difference from (percentage point)**

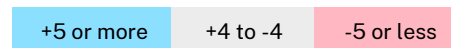


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Ensuring employees feel like they can speak up and be heard shifts the employee-employer relationship from a transactional one to an effective, dynamic one.

	Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
<b>Employee voice (total score)</b>				<b>77%</b>	-1	+13	0
5c My manager encourages and values employee input	85	8	7	85%	-1	+10	-1
5d My manager involves my workgroup in decisions about our work	82	10	8	82%	+1	+12	+1
6e Senior managers listen to employees	64	21	15	64%	-3	+20	+2
8b I can speak up and share a different view to others in my organisation	77	13	10	77%	0	+10	-2

### Difference from (percentage point)



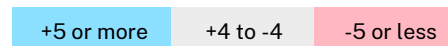
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To improve employee experience, leaders at all levels should take on board employee feedback and act on the survey results.

Employees can become disengaged if they are asked their opinion and then no action takes place as a result.

		Favourable	Neutral	Unfavourable	2022 % favourable	difference from 2021	difference from Sector	difference from Cluster
9	I am confident my organisation will act on the results of this survey	66	20	14	66%	+2	+22	-2

#### Difference from (percentage point)



r = below privacy cut-off

## Negative workplace behaviours

In NSW public sector, we are committed to reducing and preventing negative workplace behaviours such as misconduct, bullying, sexual harassment, threats or physical harm, discrimination, and racism.

In the last 12 months, have you...		2022 % respondents	difference from 2021	difference from Sector	difference from Cluster
been aware of any misconduct in your organisation		8%	+1	-7	+2
witnessed bullying		11%	+1	-10	+2
experienced bullying		7%	0	-6	+1
witnessed sexual harassment		1%	0	-2	0
experienced sexual harassment		2%	-1	-3	0
experienced threats or physical harm		1%	0	-7	-1
experienced discrimination		7%	0	-3	+1
experienced racism		2%	0	-3	0

### Definitions

- **Misconduct:** behaviour that is unethical or illegal, or that breaches your organisation's code of conduct

- **Bullying:** repeated unreasonable behaviour directed towards a worker or group of workers

- **Sexual harassment:** unwelcome behaviour of a sexual nature that may make a person feel offended, humiliated, or intimidated

- **Discrimination:** when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics

- **Racism:** prejudice, discrimination or hatred directed at someone because of their colour, ethnicity or national origin

### Difference from (percentage point)

+5 or more

+4 to -4

-5 or less

r = below privacy cut-off

## Results by child unit and demographic group

Discover if employees in different groups have different views

## Respondent profile

This is a snapshot of survey takers.

Use the snapshot to see if the survey takers are representative of your organisation or team.

Gender	% respondents	Disability	% respondents	Type of work	% respondents
Woman	51	Yes	8	Service delivery involving direct contact with the public	34
Man	34	No	84	Other service delivery work	8
Non-binary	r	Prefer not to say	8	Administrative support	9
Use a different term	r			Corporate services	3
Prefer not to say	14	<b>LGBTIQ+</b>		Policy	6
		Yes	5	Research	2
<b>Age</b>		No	83	Program and project management support	15
15-34 years	15	Prefer not to say	12	Legal	2
35-54 years	47			Other	21
55+ years	16	<b>LOTE spoken at home</b>			
Prefer not to say	21	Yes	18	<b>Organisation tenure</b>	
		No	73	Less than 1 year	17
<b>Aboriginal and/or Torres Strait Islander</b>		Prefer not to say	9	1 year to less than 2 years	10
Yes	3			2 years to less than 5 years	17
No	86	<b>Working arrangement</b>		5 years to less than 10 years	24
Prefer not to say	11	Full-time	94	10 years to less than 20 years	21
		Part-time	6	More than 20 years	11
<b>Cultural background</b>		<b>Employment status</b>			
Oceanian	77	Senior executive	3	<b>Salary</b>	
North-West European	13	Ongoing / permanent	88	\$87,492 and below	17
Southern and Eastern European	6	Temporary	5	\$87,493 - \$113,342	37
North African and Middle Eastern	2	Casual	r	\$113,343 - \$151,608	26
South-East Asian	3	Contract-non-executive	2	\$151,609 and above	4
North-East Asian	4	Labour hire	r	Prefer not to say	16
Southern and Central Asian	7	Other	r		
Peoples of the Americas	2	Don't know	1		
Sub-Saharan African	1				


Note, the cultural background question is multi-select, so results may not sum to 100%.


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## Selected key topic results by child unit

This shows some key topic scores for the organisational units that sit one level below the report unit. These units are called child units.

	Report total	BRD Deputy Secretary Office	Business Operations, Performance & Assurance	Community Engagement	Compliance & Dispute Resolution	Investigations & Enforcement	Licensing & Funds	Office of the Registrar General	Policy & Strategy	Professional Standards Authority
Employee engagement	71	75	73	74	66	76	71	81	75	50
Wellbeing	70%	79%	77%	72%	63%	79%	69%	82%	71%	59%
Role clarity and support	73%	79%	81%	77%	66%	80%	71%	76%	79%	50%
Inclusion and diversity	78%	80%	86%	80%	72%	83%	77%	90%	89%	57%
Teamwork and collaboration	72%	72%	74%	75%	65%	80%	70%	91%	82%	55%
Learning and development	68%	67%	79%	72%	62%	73%	67%	63%	82%	34%
Senior managers	70%	67%	70%	74%	62%	78%	68%	90%	86%	55%
Communication and change management	68%	69%	70%	72%	56%	74%	69%	85%	79%	54%
Employee voice	77%	73%	82%	80%	72%	84%	72%	93%	89%	50%

 At least 5 percentage points higher than report unit


 Within 5 percentage points of the report unit


 At least 5 percentage points lower than report unit


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# Selected key topic results by select demographics

	Report total	Woman	Man	Non-binary	Aboriginal and Torres Strait Islander peoples	People with disability	People who identify as LGBTQ+	People who speak a language other than English	15-34 years	35-54 years	55+ years
Employee engagement	71	75	72	r	71	66	73	76	76	75	72
Wellbeing	70%	75%	72%	r	70%	57%	70%	76%	79%	74%	71%
Role clarity and support	73%	78%	74%	r	75%	64%	72%	77%	79%	77%	76%
Inclusion and diversity	78%	84%	80%	r	77%	69%	79%	82%	84%	83%	81%
Teamwork and collaboration	72%	76%	75%	r	70%	67%	70%	79%	76%	76%	74%
Learning and development	68%	75%	68%	r	71%	59%	69%	72%	76%	74%	69%
Senior managers	70%	76%	71%	r	62%	60%	71%	80%	75%	76%	72%
Communication and change management	68%	74%	68%	r	67%	61%	68%	74%	74%	73%	68%
Employee voice	77%	82%	80%	r	77%	72%	81%	83%	83%	83%	77%

 At least 5 percentage points higher than report unit

 Within 5 percentage points of the report unit


 At least 5 percentage points lower than report unit


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# Selected key topic results by type of work

	Report total	Service delivery involving direct contact with the public	Other service delivery work	Administrative support	Corporate services	Policy	Research	Program and project management support	Legal (including developing and/or reviewing legislation)	Other
Employee engagement	71	71	69	78	68	75	77	75	74	71
Wellbeing	70%	71%	66%	80%	68%	72%	76%	81%	79%	65%
Role clarity and support	73%	74%	66%	82%	73%	80%	70%	80%	71%	70%
Inclusion and diversity	78%	77%	75%	87%	77%	88%	86%	85%	81%	75%
Teamwork and collaboration	72%	71%	65%	80%	71%	82%	81%	75%	84%	70%
Learning and development	68%	70%	59%	79%	62%	83%	67%	75%	63%	63%
Senior managers	70%	69%	67%	80%	72%	85%	86%	77%	72%	66%
Communication and change management	68%	65%	65%	79%	67%	79%	80%	73%	71%	64%
Employee voice	77%	76%	72%	84%	78%	89%	86%	86%	82%	73%

 At least 5 percentage points higher than report unit


 Within 5 percentage points of the report unit


 At least 5 percentage points lower than report unit


r = below privacy cut-off

# Selected key topic results by organisation tenure

	Report total	Less than 1 year	1 year to less than 2 years	2 years to less than 5 years	5 years to less than 10 years	10 years to less than 20 years	More than 20 years
Employee engagement	71	77	77	72	70	70	70
Wellbeing	70%	83%	78%	72%	67%	69%	66%
Role clarity and support	73%	76%	80%	75%	71%	72%	77%
Inclusion and diversity	78%	85%	86%	80%	77%	74%	80%
Teamwork and collaboration	72%	79%	78%	72%	70%	69%	73%
Learning and development	68%	77%	78%	70%	64%	65%	69%
Senior managers	70%	79%	78%	73%	69%	66%	68%
Communication and change management	68%	78%	75%	70%	66%	61%	65%
Employee voice	77%	85%	86%	80%	76%	72%	77%

 At least 5 percentage points higher than report unit


 Within 5 percentage points of the report unit


 At least 5 percentage points lower than report unit


r = below privacy cut-off

# Selected key topic results by geographic region

	Report total	Sydney East	Sydney West	Capital Region	Central Coast	Central West	Coffs Harbour - Grafton	Far West and Orana	Hunter Valley excluding Newcastle
Employee engagement	71	72	72	79	75	71	70	r	r
Wellbeing	70%	73%	72%	96%	74%	72%	61%	r	r
Role clarity and support	73%	72%	75%	87%	76%	74%	71%	r	r
Inclusion and diversity	78%	79%	79%	97%	84%	81%	77%	r	r
Teamwork and collaboration	72%	68%	74%	81%	76%	79%	67%	r	r
Learning and development	68%	61%	68%	83%	75%	73%	62%	r	r
Senior managers	70%	71%	74%	81%	74%	74%	67%	r	r
Communication and change management	68%	70%	69%	79%	73%	73%	65%	r	r
Employee voice	77%	77%	78%	88%	82%	80%	72%	r	r

 At least 5 percentage points higher than report unit


 Within 5 percentage points of the report unit


 At least 5 percentage points lower than report unit


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# Selected key topic results by geographic region (continued)

	Report total	Illawarra	Mid North Coast	Murray	New England and North West	Newcastle and Lake Macquarie	Richmond - Tweed	Riverina	Southern Highlands and Shoalhaven	Outside of NSW
Employee engagement	71	75	82	r	r	73	81	75	r	r
Wellbeing	70%	79%	77%	r	r	78%	86%	78%	r	r
Role clarity and support	73%	87%	86%	r	r	77%	90%	79%	r	r
Inclusion and diversity	78%	82%	89%	r	r	82%	90%	82%	r	r
Teamwork and collaboration	72%	75%	82%	r	r	72%	83%	65%	r	r
Learning and development	68%	84%	85%	r	r	75%	79%	79%	r	r
Senior managers	70%	71%	83%	r	r	72%	89%	67%	r	r
Communication and change management	68%	71%	79%	r	r	70%	81%	64%	r	r
Employee voice	77%	84%	91%	r	r	84%	95%	80%	r	r

 At least 5 percentage points higher than report unit

 Within 5 percentage points of the report unit

 At least 5 percentage points lower than report unit

r = below privacy cut-off

## **Additional information about the survey**

Discover more about how the survey works and how to act on results

## Survey model

The People Matter Employee Survey provides an important opportunity for almost 400,000 people to have a say about their workplace and to help make the public sector a better place to work.

The survey asks employees about their experiences with their work, workgroup, managers, and organisation. Their experiences are grouped into management practices and reported under 4 domains:

- Purpose and direction
- Work environment
- Enabling practices
- Leadership

All of these practices positively contribute towards employee and organisational outcomes, including employee engagement, job satisfaction, wellbeing, and customer service.

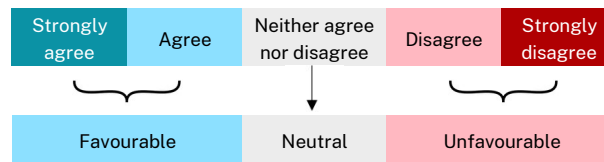


### Privacy

Responses from individual employees are confidential. Strict rules protect privacy at every stage of the survey process. These reports only show the results for a group of employees (i.e. a workgroup or demographic group) when there are 10 or more responses for the group.

### % favourable calculation

Most scores are shown as % favourable, which is the sum of the 'strongly agree' and 'agree' percentages.

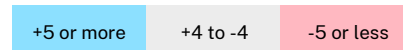


% favourable scores are colour coded based on these ranges:



### Difference scores

Difference scores are displayed as a percentage point where available. Differences are colour coded based on these ranges:



Generally, topic level comparisons are not shown when less than 50% of the questions are comparable.

### Burnout (disagree) question

The score provided for the burnout question indicates the % favourable responses (i.e. 'strongly disagree' and 'disagree' responses).

The favourable score (blue bar) shows the % of respondents that did not feel burned out by their work.

The unfavourable score (red bar) shows the % of respondents that did feel burned out by their work.

### Rounding

Results are presented as whole numbers for ease of reading. Values are rounded down if their first decimal number is less than 5. Values are rounded up if their first decimal number is equal to or greater than 5. Due to rounding, results will not always add up to 100%. Difference scores may appear to be slightly different to values derived from subtracting rounded numbers, usually within 1%.

### Employee engagement score calculation

Each person who answered all five employee engagement questions gets an employee engagement score. Each answer is assigned a score as follows:

- 100 to 'strongly agree'
- 75 to 'agree'
- 50 to 'neither agree nor disagree'
- 25 to 'disagree'
- 0 to 'strongly disagree'

The employee's engagement score is calculated as the average of the 5 question scores. Employees' scores are then averaged to calculate a team or organisation engagement score.

### Key driver analysis




Experience tells us that a successful response to survey results requires focus on key priorities. The key driver analysis, which uses statistical techniques including Pearson's correlation analysis, identifies individual questions with the strongest influence on your employee engagement score.

Key drivers are split into strengths (high correlation, high score) and priorities (high correlation, low score). You are recommended to look for ways to maintain your strengths and improve your priority areas.

## Action planning

We are all responsible for building a world class public service. Improving employee experience is a way to work towards this goal.

**Survey communication and action planning:** Leaders are encouraged to share and discuss survey results with employees, and start thinking about actions using the template below. In addition to PMES results, you should consider work context and internal business data (e.g. turnover data). You should implement and monitor your plan, either on its own or as part of a broader organisational improvement strategy.

 <b>CELEBRATE</b>	 <b>INVESTIGATE FURTHER WITH OUR TEAMS</b>	 <b>OPPORTUNITIES</b>
<p>The things we do well:</p> <hr/> <hr/> <hr/> <hr/> <p>Think about how we can build on our strengths and learn from what we are good at.</p>	<p>Are there any other opportunities coming out of the results that we want to explore further?</p> <hr/> <hr/> <hr/> <hr/> <p>How could we investigate? Through looking at the data in more detail or through discussions with staff?</p>	<p>Areas we need to focus on and turn into action plans:</p> <hr/> <hr/> <hr/> <hr/> <p>What are the key things we need to improve to make working here better?</p>

PRIORITISE 3 AREAS FOR ACTION	TIMESCALES	OWNER	RESOURCES REQUIRED	TARGET / SUCCESS MEASURE
01.				
02.				
03.				