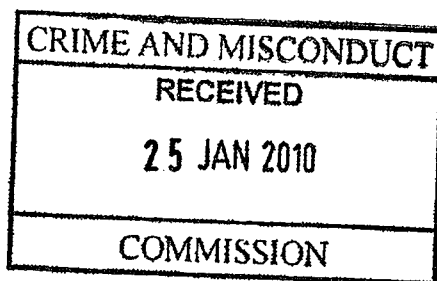




John-Paul Langbroek MP

Leader of the Opposition
Leader of the LNP

Hon. Martin Moynihan QC
Chairman
Crime and Misconduct Commission
GPO Box 3123
Brisbane Qld 4001



22nd January 2010

Dear Mr Moynihan,

Re. Review of Ministerial Office/Public Service Interaction

I write to you in response to an invitation from your predecessor seeking submissions on how to make interactions between Ministerial staff and public servants more professional and transparent in Queensland.

One of the great difficulties all interested parties face in responding to the CMC's call for submissions is that the CMC's hearings into the conduct of one former Ministerial staffer, which have prompted calls for these submissions, have been just that: hearings into the conduct of just one ministerial staffer in one ministerial office during one year relating to just one department.

There are, on current estimates, 217 full-time equivalent Ministerial staff of which 34 are based in the Premier's office alone. Yet of these 217 staff positions, the CMC's public hearings explored the conduct of just one former ministerial staffer. This is not an adequate sized exploration upon which the true extent of problems can be identified; upon which truly informed submissions can be based; or upon which the public can gauge the full culture that exists amongst Ministerial staffers arising out of their interaction and conduct with public servants.

Failure of CMC to interview person charged with responsibility for conduct of Ministerial Staff

Additionally, I would like to draw your attention to the fact that the CMC's hearings into the alleged misconduct of Mr Simon Tutt never once sought to interview the Premier's Chief of Staff even though the Premier personally appointed and identified her Chief of Staff as being a 'role model' for Mr Tutt's conduct (and that of all other senior ministerial staff) and who the Premier identified as being the overseer of Ministerial staffing including their performance and management.

I have supplied you with this new and additional information – confirmed in the Premier's own hand writing - and seek your urgent consideration to re-open hearings to further explore the expectations and conduct of all Ministerial staff so that public submissions are based on a full and proper understanding and insight into the current interactions between ministerial staff and public servants.

Many of the practices of Ministerial staff, the expectations placed upon them by the Premier's office; and the scrutiny to which the Premier and Premier's office applies to ministerial staff are kept secret and have not been explored and exposed by either the CMC's public hearings or a Royal Commission.

All Ministerial staff are contracted to the Department of Premier and Cabinet with the Premier as the responsible Minister. The CMC has not, as a part of its public hearings, yet questioned the Premier on how she monitors – or puts in place the processes to monitor through the Chief Executive Officer – the conduct of Ministerial staff and the expectations and guidelines the Premier's Department places on ministerial staff and their conduct and interaction with public servants.

More importantly, in November 2007 the Premier approved a salary increase of over \$100,000 for her Chief of Staff – taking the salary package to \$311,502. The Premier based her recommendation upon the recommendations of a briefing note provided by her Department which clearly said (underlining is mine):

"The Chief of Staff oversees staffing and other resourcing for all Queensland Ministerial Offices and acts as a mentor to key senior advisors in other offices"

Additionally, the 'primary duties' of the Premier's Chief of Staff – as endorsed by the Premier herself – include:

"Coordinate and oversee all Ministerial staff, including recruitment and staff performance management, development of appropriate performance standards and staff development processes".

Yet at no stage during the CMC's public hearings has the Premier's Chief of Staff or the Premier been asked to explain how Mr Tutt and other Ministerial staff are advised of, and monitored on, performance standards and staff development processes. Again, without these issues being explored in the public domain, it is hard to see how public submissions to improve the conduct and interaction of Ministerial staff can be made on an informed basis.

Despite this being clearly articulated as the Premier's Chief of Staff's role – and despite it being clearly endorsed by the Premier as her Chief of Staff's role (the briefing note contains the Premier's signature of approval) - the CMC is yet to call the Premier's then Chief of Staff

to explain what oversight, training and guidance he provided to Ministerial staff including Mr Simon Tutt and others.

Equally, the Premier agreed to the salary increase for her Chief of Staff on the basis that the person she chose to hold that position acts as a '*mentor for key senior advisers in other offices*' which would presumably have to include the senior adviser of the Minister for Police. Yet the CMC is yet to call the Premier before its public hearings to ask her to explain what sort of mentor she was providing, and what sort of culture she was fostering amongst Ministerial staff, when she appointed as her Chief of Staff a former Labor Party State Secretary and a former Labor party MP, forced to resign in disgrace, after confessing to electoral roll fraud.

If this is the 'mentor' whom the Premier has handpicked for staff in other Ministerial offices, is it little wonder that those ministerial staff believe that the political interests of the Labor Party's election campaign are of greater priority than the collective interests of Queenslanders, and is it little wonder that those staff would subscribe to a view of "whatever means necessary" given the 'mentor' the Premier has handpicked for them?

I have attached for your information the Premier's briefing note to which I refer because it seems extraordinary that during the CMC's public hearings to date, it has not called before it the very person who the Premier has chosen and identified as the overseer and role model for Mr Tutt at the time of his meetings with the QRU; at the time of his meetings with public servants and at the time of the QRU grant being approved.

Given the above, I seek the CMC's confirmation that it will call Mr Mike Kaiser (the Premier's Chief of Staff at the time) and the Premier herself to appear at a public hearing to give explanation and elaboration on the above issues and to allow submissions to remain open until a clearer and broader picture of current interactions and expectations is put into the public domain.

In the event that the CMC does not call to a public hearing the very person who the Premier has handpicked as being a 'mentor' for Mr Tutt and other ministerial staff, and the very person that the Premier has confirmed 'oversees' all Ministerial staff and is responsible for performance standards and staff development, then I would appreciate an explanation as to how this cannot be relevant to either *a.* the conduct of the former staffer or *b.* a review of the conduct and interactions of Ministerial staff with public servants.

Failure to conduct such hearings would, in my submission, undermine any confidence in any conclusion or recommendation the CMC might make in relation to this matter.

Inappropriate Influence:

Additionally, as a part of the CMC's call for public submissions, it has sought comment on *"how may public servants be empowered to challenge or question a request or direction from the minister's office that they consider to be inappropriate"*.

Unless there is transparency about the background of Ministerial staff, it can be difficult, if not impossible, for a public servant to even begin to know if a request is appropriate or inappropriate.

For example, in recent months there has been much public interest and scrutiny of the role of lobbyists in, and with, the State Government. Questions have also been asked about what sort of safeguards have been put in place to ensure lobbyists who then change occupation to become a Ministerial staffer, do not deliberately or inadvertently provide favour to their former clients, or person's who had paid them so-called 'success fees', by facilitating preferential access, briefings etc with Ministers and or public servants. This issue was underlined last year when all of the Premier's Chief of Staff and two Deputy Chief's of Staff had each previously worked for a lobbyist firm.

To ensure Ministerial staff were not inappropriately influencing decisions, and influencing public servants, to the benefit of their former clients, the State Opposition lodged three *Question on Notice* in the State Parliament: two questions sought to identify the client base of former lobbyists now working for Ministers and the Premier and the third question asked for the Premier to identify which Ministerial staff had previously benefited from being paid 'success fees' and from whom.

The Premier refused to provide any such client base but did claim that she personally was *"satisfied that these staff members [whom she refused to identify] have acted appropriately to ensure no conflict of interest arise in their day to day work"*.

As a result of this answer, my Office then lodged a *Freedom of Information* request for all the paperwork upon which the Premier had satisfied herself that her staff, who had been former lobbyists, were acting appropriately with no conflict of interest.

The *FOI* application revealed that there was not one document upon which the Premier based her decision: in other words, the Premier has never even asked to see a list of the former lobbyist client base of her staff and clearly has adopted the famous 'eye-ball' test of the former Premier.

(I have attached the Questions on Notice and the Freedom of information request for the CMC's information).

Given such scarcity of information; given such scarcity of process within the Premier's own office; and given the scarcity of any 'checks and balances' on the Premier's eye-ball test to identify potential conflicts of interest, it would be impossible for a public servant to even begin to have the capacity to assess if a demand or a request from the Minister's office for a briefing on an issue; a decision in favour of a business; or for a meeting with an industry group etc. could be judged for its appropriateness.

Independent Public Sector

Central to developing appropriate interaction between public servants and ministerial staff is the need for public servants to have confidence in both the impartiality and professionalism of the senior public servant appointments to whom they are answerable.

Where and when that confidence does not exist, public servants may often feel compelled to provide the Minister's office with the advice they believe is wanted; rather than independent professional advice that is needed. It would be fair to say that this was identified strongly in the CMC's public hearings.

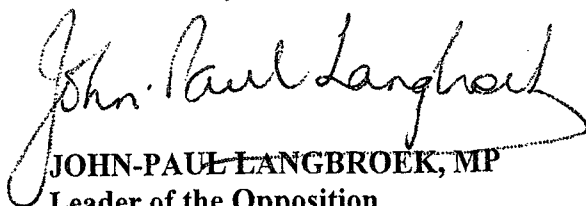
In 1989 the *Fitzgerald Report* recommended that all senior government appointments should only be made after consultation with the Opposition and relevant interest groups to ensure confidence in the impartiality and professionalism of appointments.

My predecessor, Lawrence Springborg MP, wrote to the Premier on 4 March 2008 outlining the yet-to-be-implemented *Fitzgerald Report* recommendations and asking her to give bipartisan support for their implementation. The Premier refused.

I have also attached to this submission a copy of the letter provided to the Premier by Mr Springborg which contains, verbatim, the *Fitzgerald* recommendations that have still not been implemented and that are critical to a professional and independent public sector.

I look forward to your clarification on the above issues and welcome you to your new job.

Yours sincerely



JOHN-PAUL LANGBROEK, MP

Leader of the Opposition

Leader of the LNP

Attachment 1.

Copy of Premier's approval dated 20 November 2007 (top right corner) confirming that the salary to be paid to her Chief of Staff is on the basis that (as outlined on page 8):

- "The Chief of Staff oversees staffing and other resourcing for all Queensland Ministerial Offices and acts as a mentor to key senior advisors in other offices"; and
- "Coordinate and oversee all Ministerial staff, including recruitment and staff performance management, development of appropriate performance standards and staff development processes".

To: THE PREMIER
Date: 19 November 2007
Subject: Review of the position of Chief of Staff, Office of the Premier

Approved / Not Approved / Noted
Premier <i>[Signature]</i>
Date 20/11/07
Date Action Required by: .../.../...
Requested by: ... (if appropriate)

• RECOMMENDATION

It is recommended that the Premier:

- Notes that an independent review of the Chief of Staff position in the Premier's office has been undertaken.
- Approves the attached position description for the Chief of Staff position.
- Approves a remuneration package for the Chief of Staff of between \$252,553 to \$285,002, plus a vehicle.

• KEY ISSUES

- A comparison of Chief of Staff salary arrangements across Australian jurisdictions has revealed that the position in Queensland is paid at the lowest rate (attachment 1).
- An independent assessment of the role (attachment 2) has identified that:
 - The Chief of Staff to the Premier may take on an operational management role (work value of high SES2/low SES3) or a primary advisor role (work value of low CEO level). The requirements of the position will be at the discretion of the Premier of the day.
 - In Queensland this role tends to be as a primary advisor to the Premier and works in conjunction with the Premier and Director-General in strategic decision processes.
- A position description has been developed on this basis and is attached for your consideration (attachment 3).
- The new remuneration package for the Chief of Staff to the Premier would be in the range \$279,053 (CEO pay point 5.2) to \$311,502 (CEO pay point 4.4), including car, superannuation and leave loading. As ministerial staff do not contribute to the vehicle component of their salary package under their contract arrangements, the package range should be reduced by the assessed value of a CEO vehicle (i.e. \$26,500). Therefore, the package range should be \$252,553 to \$285,002.
- In accordance with the assessed work value of the position, the Chief of Staff should be provided with a CEO level vehicle.
- Funding can be covered from the existing overall Ministerial budget.

• CONSULTATION

- Mercer Australia P/L, Office of Public Service Commissioner (for salary rates only)

[Signature]
Ker Smith
Director-General
19.11.07

Comments (Premier or DG)

The sizing for the position has been carried out independently by Mercers having regard to the remuneration levels for COS in other jurisdictions. Ministerial Services Branch have worked with the Director of my office and endorse them.

Action Officer: Mike Goodman Director:
Area: Ministerial Services
Telephone: 322 46922

ED

DDG

Recommendations.

D.G. I believe this is to be high-mid point of CEO5 i.e. CEO 5.3 - move appropriate - please progress

19/11/07
DOCUMENT No.1

Chief of Staff Salary Comparison*

Salary		Other Entitlements	Comments	Entertainment Expenses/Credit Card
Fortnightly	Annual			
\$5,134	\$133,965	Car, mobile/blackberry, super	Will only provide details to Qld counterpart	Will only provide details to Qld counterpart
\$4,619 to \$11,499	\$120,510 to \$300,000	Inclusive of superannuation	[redacted] are unable to provide specific details	No Expense accounts, entertainment budget or credit card.
\$7,014	\$183,000	Car, internet access, super, phones	Contract for term of the government. Salary equivalent to SE in public service	Corporate Credit Card can be used for entertainment, however within current directives
\$6,116	\$159,563	Car, phones etc	Ministerial Contract	No budget allocated or credit card, reimbursed for costs within current directives
\$3,569 to \$8,690	\$93,131 to \$226,710	Mobile, laptop, printer, fax		Credit Card for business use. - Limit \$2,000 to \$3,000 depending on business needs. No defined budget for entertainment expenses and reimbursement is on presentation of receipts with reason.
\$5,792 to \$7,748	\$151,117 to \$202,144	Inc 9% Super, Car (\$4,488 p/a), mobile		No response

This office will not release this information.

Office of the Prime Minister & Cabinet

* Some states have provided a salary range for these positions, the equivalent to our Senior Policy Advisors are called Chief of Staff in other states. The top of the salary ranges would be the equivalent to the Chief of Staff position within the Office of the Premier.

MERCER

MARCUS MERCER KROIL
AMY CARPENTER DEVER WOMAN

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Private & Confidential

15 November 2007

Mr Scott Kessell
Director, Office of the Director-General
Department of the Premier and Cabinet
PO Box 15009
City East QLD 4002

Subject: Recommended Remuneration Arrangements – Chief of Staff

Dear Scott

Further to our earlier correspondence and subsequent discussions with the Department, Mercer is pleased to offer the following commentary regarding the recommended remuneration arrangements for the position of Chief of Staff, within the Premier's Office in Queensland.

Mercer has considered the remuneration levels which generally apply across other jurisdictions to similar roles and the varying scope of the role as it is applied in those different circumstances. As we had noted in earlier correspondence, there is significant divergence in remuneration package values evidenced across the various States and Territories, with packages reported between \$150,000 and \$350,000 per annum.

Prior to completing a work value assessment of the role as it is proposed within the Queensland context, Mercer had noted two different schools of thought around the purpose of a Chief of Staff appointment.

Anecdotally, Mercer had elsewhere observed two distinct levels of contribution associated with similar Chief of Staff roles. The actual expectations regarding contribution, and therefore the model deemed most appropriate for Queensland are largely a matter for the Premier to determine after considering needs within the State's context. Mercer provided the following brief notes around the two models.

Consulting, Outsourcing, Investments.

FOI DOCUMENT No.3

MERCER

MAR 11 10:11 PM KROLL
MAX 10:11 PM DRIVER WYMAN

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Mr Scott Kessell
Department of Premier and Cabinet

1. The Operational Management model, where the Chief of Staff:
 - provides administrative and operational management for the Office
 - ensures that there is a high degree of coordination between Advisors and that quality standards are met, but would typically not be held accountable for the actual content of advice
 - monitors flow of correspondence, and production of reports and documents required by and/or for the Premier
 - manages staffing, recruitment, and staff performance management
 - advises the Premier on matters of process
 - administers the expenditure budget for the Office.
2. The Primary Advisor Model, where the Chief of Staff generally delivers the accountabilities described above, but will in addition:
 - assume accountability for the content, quality and effectiveness of policy advice sourced within the Office
 - participate in strategic decision making processes with the Premier and Director-General, as a primary source of policy and tactical advice
 - provide high order policy context advice to the Premier.

The second model will sometimes go as far as viewing strategic policy decisions coming from what is almost a triumvirate arrangements where the Premier determines broad strategic policy direction, the Director-General determines the feasibility and most effective means of delivery through the bureaucracy, and the Chief of Staff will advise tactics, timing and be across contingency planning. In some ways this role aims to provide advice related to ensuring the long term sustainability of the elected administration to, in turn, underpin delivery of the strategic agenda.

Subsequent discussions and inputs from the Premier have identified that the proposed role in Queensland aligns well with the second, and more strategic model.

On that basis, Mercer has reviewed the inputs received from all sources and taken these as the basis for development of a draft Role Description, copy of which is attached. Our work value profiling based upon this document and the contextual understanding arising from recent discussions, derives the outcome summarised in the following table.

MERCER

MARC MERCEK KROLL
JULY APPRENTICE OLIVER WATMAN

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Mr Scott Kessell
Department of Premier and Cabinet

Table 1 - Job Evaluation Profile - Chief of Staff, Premier's Office

Position	Impact	Expertise	Judgement	Accountability	Total
Chief of Staff	Advice	G-5-e- 541	E+5 573	F+3d 541	1455

It is clear that the major driver for remuneration revolves around the high order of knowledge and experience that are prerequisite to competent delivery across a broad set of accountabilities. It is unlikely that a substantial field of plausible candidates would be sourced from within the Queensland Public Service. Any recruitment activity would need to cast a much wider net.

The table below provides a brief summary of current general market remuneration data for roles at this work value level.

Table 2: Work Value Remuneration Data as at October 2007

Work Value Level	Agg.	General Market		
		25 th %ile	Median	75 th %ile
1455	BS	\$198,100	\$243,900	\$298,200
	EC	\$281,000	\$346,000	\$424,000

It is also relevant to examine total package values observed to apply within a public service context at similar work value. Mercer facilitates the annual Australian Public Service SES Remuneration Review, and it is noted that, as at 31 December 2006, the following package values described the SES Band 3 level with the Commonwealth.

Table 3: Total Package Distribution for Commonwealth's SES Band 3

Year	n	Minimum	Q1	Median	Q3	Maximum	Average
2006	93	\$232,611	\$259,815	\$276,446	\$289,319	\$586,430	\$284,882

By way of interpretation, Mercer would propose that consideration be given to targeting the top 25% of the public service market, in which case the upper quartile (Q3 or 75th %ile) of the above APS data could form a useful entry level of remuneration.

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AMC MARJH MERCER KROLL
GUY CARPENTER OLIVER WYMAN

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Department of Premier and Cabinet

It is also reasonable to consider an upper level of remuneration which is at least reasonably competitive with the general market. Mercer would propose achieving a position which results in remuneration towards the middle of the second quartile, or a top end of around \$310,000.

It might be argued that such an upper benchmark is high, but we would note that for positions at this level within the general private sector, additional variable performance based payments would typically apply. For example, in the case of roles at 1455 points, our database indicates that the Median value of "Total Reward" (fixed plus performance based components) is \$396,200.

Mercer has reviewed the current remuneration rates which apply within Queensland Public Service, and would consider a benchmark which would require alignment with the current Queensland CEO scales at the top of CEO 5 or bottom of CEO 4 to achieve appropriate remuneration.

By way of illustration:

▪ CEO4 Paypoint 4.4	\$311,502	249,801
▪ CEO4 Paypoint 4.5	\$300,686	240,321
▪ CEO4 Paypoint 4.6	\$289,671	230,842
▪ CEO5 Paypoint 5.1	\$289,869	230,840
▪ CEO5 Paypoint 5.2	\$279,053	221,360
- 5.3	268,237	211,880

Mercer would be happy to assist in the finalisation of a enclosed Role Description, once you have had an opportunity to review the same.

Please feel free to contact me on 07 3234 4810 to discuss the matter further.

Yours sincerely

Rob Bebbington

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FOI DOCUMENT No.6



Role Description

Role Identification

Vacancy Reference Number	
Closing Date	
Role Title	Chief of Staff
Salary	\$279,053 - \$311,502 per annum total remuneration package
Section/Business Unit/Division	Office of the Premier
Location	Brisbane
Status	Contract
Role Description Date of Review	16 November 2007
Role Description Approval – Signature/Name/Role Title	

General Information for Applicants

This role description details the minimum knowledge, skills and abilities required to perform the duties of this position.

Your application must address your ability to meet each of the selection criteria. The department's *Role Description, Application Form and Guidelines for Applicants* will assist you in developing your application.

If you are interested in being considered for this vacancy, please submit a resume outlining your experience and a statement addressing the selection criteria on or before the closing date. Applications should be marked Private and Confidential.

Please mail to:

The Manager, Human Resources
Ministerial Services
PO Box 15185
CITY EAST Q 4002

OR deliver to:

The Manager, Human Resources
Ministerial Services
Level 1, 100 George St
Brisbane Q 4000

OR e-mail to: ministerialhr@premiers.qld.gov.au

About the Premier's Office

The Premier's Office consists of 35 professional and administrative staff, whose role is to ensure the effective and efficient function of the Premier's affairs. Specifically, the Premier's Office consists of:

- Chief of Staff, Deputy Chief of Staff, Media staff, Policy staff, Specialist technical staff, Administrative and support staff.

The Premier's Office functions to keep the Premier fully apprised in terms of Economic, Social, Legal, Trade, Political and Media related matters, facilitating effective decision making, policy development and governance. It also plays an important role in ensuring the Premier remains up-to-date on all issues of importance to Queensland public and promotes positive engagement with the community.

Purpose of the Role

The Chief of Staff functions as the Premier's principal advisor, assuming accountability for providing the Premier with strategic context, policy advice and support on important issues affecting the State.

The Chief of Staff oversees staffing and other resourcing for all Queensland Ministerial Offices and acts as a mentor for key senior advisors in other offices.

The Chief of Staff also undertakes the operational management of the Premier's Office, ensuring coordination between advisors, monitoring the flow of information, managing staffing issues and advising the Premier on matters of process. The position also administers the expenditure budget for the Office.

Primary Delegations and Responsibilities

The Chief of Staff functions as principal advisor to the Premier. The role is tasked with managing the operations of the Premier's Office and providing the Premier context on political developments within Parliament and across the State.

The Chief of Staff has an expenditure delegation for Ministerial Office expenditure only.

Reporting Relationships

The position reports directly to the Premier of Queensland.

Primary Duties

- Function as a primary source of authoritative advice to the Premier, maintaining an integrative and strategic policy orientation both within and across portfolios.
- Provide the Premier with continuously up-to-date high-order policy and political context to facilitate effective governance and aid strategic decision making.
- Provide leadership and direction to Premier's Office staff, encouraging continuous improvement, innovation and the adoption of best practice standards and procedures.
- Control flow of information to the Premier, ensuring that the Premier is fully informed on critical issues across the state.
- Assume full accountability for the content, quality and effectiveness of policy and political advice produced by the Premier's Office and its advisors.
- Provide regular briefings to Premier's Office advisory staff detailing the Premier's perspective on important State issues, facilitating effective coordination of research and advisory activities.
- Coordinate and oversee all Ministerial staff, including recruitment and staff performance management, development of appropriate performance standards and staff development processes.
- Administer the annual operating budget for the Premier's Office and oversee the total Ministerial budget, ensuring that procedures accord with policies and guidelines outlined in the Ministerial Handbook.
- Represent the Premier and the Premier's Office in public forums and act as the key point of contact with stakeholder groups where appropriate.
- Lead the development and maintenance of strong relationships with other government agencies nationally and internationally, and with business and industry.

Selection Criteria

- SC1** Demonstrated impressive record of strategic leadership to advance whole of government priorities and service delivery.
- SC2** Superior competency in the provision of high level policy and political advice, analysis

and direction on current and emerging issues of significance to Queensland, including the formulation of comprehensive strategic and tactical responses.

- SC3** Highly developed interpersonal skills to advance collaborative working relationships with the ability to negotiate and communicate at the most senior levels of government and with a diverse range of stakeholders across business, industry and the non-government sector.
- SC4** Demonstrated high calibre conceptual, analytical and problem-solving abilities with the proven capacity to make sound decisions in a complex, demanding and high risk environment.
- SC5** Demonstrated ability and skill in managing staff and resources with a proven capacity to lead, motivate and develop a highly effective team within a diverse and changing work environment.

Note: Selection Criteria are not ranked in order of importance. The selection panel may assign weightings to the criteria at the beginning of the selection process.

Other Role Information

Possession of a degree relevant to the field of work would be highly regarded.

Organisational Chart

As per attached.

Further Information

Whilst the department values the expanded knowledge and skill base resulting from tertiary study, it also acknowledges that enhanced work performance can result from other learning experiences. These may include on the job training, structured professional development or life experiences.

To be eligible for long-term appointment to the position applicants must provide proof of Australian citizenship or permanent residency. To be eligible for temporary appointment applicants must provide proof that they can legally work in Australia.

A non-smoking policy is effective in Queensland Government buildings, offices and motor vehicles.

The position may require travel nationally and internationally.

ad 9 May 2006) (Effective 1 July 2007)

(Bands ap)

CE REMUNERATION VALUES

NOTIONAL LEVEL	Package Point	Maximum Vehicle Cost (\$ per annum)	Superann. Salary (\$ per annum)	Remun. Package (\$ per annum)	Employer Super. @ 12.75% (\$ per annum)	Leave Loading (\$ per annum)	Total Remun. Value (\$ per annum)	Fortnightly Salary (\$ per F/N)
CEO1	1.1	26,500	420,443	446,943	53,606	5,640	506,190	16,115.50
CEO1	1.2	26,500	410,963	437,463	52,398	5,513	495,374	15,752.20
CEO1	1.3	26,500	401,482	427,982	51,189	5,386	484,557	15,388.80
CEO1	1.4	26,500	392,002	418,502	49,980	5,259	473,741	15,025.40
CEO1	1.5	26,500	382,522	409,022	48,772	5,132	462,925	14,662.00
CEO1	1.6	26,500	373,043	399,543	47,563	5,005	452,110	14,298.70
CEO2	2.1	26,500	373,042	399,542	47,563	5,005	452,109	14,298.70
CEO2	2.2	26,500	363,563	390,063	46,354	4,877	441,294	13,935.30
CEO2	2.3	26,500	354,082	380,582	45,145	4,750	430,478	13,571.90
CEO2	2.4	26,500	344,602	371,102	43,937	4,623	419,662	13,208.60
CEO2	2.5	26,500	335,122	361,622	42,728	4,496	408,846	12,845.20
CEO2	2.6	26,500	325,643	352,143	41,519	4,369	398,031	12,481.90
CEO3	3.1	26,500	325,643	352,143	41,519	4,369	398,031	12,481.90
CEO3	3.2	26,500	316,163	342,663	40,311	4,242	387,213	12,118.40
CEO3	3.3	26,500	306,682	333,182	39,102	4,115	376,397	11,755.10
CEO3	3.4	26,500	297,202	323,702	37,893	3,987	365,581	11,391.70
CEO3	3.5	26,500	287,722	314,222	36,684	3,860	354,765	11,028.30
CEO3	3.6	26,500	278,242	304,742	35,475	3,733	343,949	10,665.00
CEO4	4.1	26,500	278,242	304,742	35,475	3,733	343,949	10,665.00
CEO5	5.1	26,500	230,840	257,340	29,432	3,097	289,869	8,848.10
CEO5	5.2	26,500	221,360	247,860	28,223	2,970	279,053	8,484.70
CEO5	5.3	26,500	211,880	238,380	27,015	2,842	268,237	8,121.30
CEO5	5.4	26,500	202,400	228,900	25,806	2,715	257,421	7,758.00
CEO5	5.5	26,500	192,921	219,421	24,597	2,588	246,606	7,394.60
CEO5	5.6	26,500	183,442	209,942	23,389	2,461	235,791	7,031.30
CEO6	6.1	26,500	183,440	209,940	23,389	2,461	235,790	7,031.30
CEO6	6.2	26,500	173,960	200,460	22,180	2,334	224,974	6,867.90
CEO6	6.3	26,500	164,480	190,980	20,971	2,207	214,158	6,304.50
CEO6	6.4	26,500	155,000	181,500	19,762	2,079	203,342	5,941.10

C:\Documents and Settings\loans\Local Settings\Temporary Internet Files\OLK7\CEO - from 01 Jul 07_colour - change dept levels 13Sept07.xls

Attachment 2.

1. Copy of answers to *Questions on Notice* from the Premier informing State Parliament that she is personally satisfied that none of her staff who formerly worked as lobbyists have any conflict of interest in their day to day work;
2. Copy of an FOI decision from the Premier's Office confirming that no documentation is in existence upon which the Premier satisfied herself that her staff, who had worked previously as lobbyists, had any potential conflicts.

**Question on Notice
No. 1051
Asked on 1 September 2009**

MR LANGBROEK asked the Premier and Minister for the Arts (MS BLIGH) -

QUESTION:

Will the Premier detail all ministerial staff employed by MSB at an A08 salary or above who received a success fee as a lobbyist during the term of the Beattie and Bligh Governments, whether publicly or privately employed during the period (including the amount of the fee, the date paid, the client and what project the fee was paid for)?

RESPONSE:

The Honourable Member should note that success fees are not paid to public sector employees.

It is a matter of public record that a small number of current ministerial staff have previously worked as lobbyists in the private sector. The terms and conditions of their employment contracts when working outside of Government would be a private commercial arrangement between the employee and the employer.

I am satisfied that these staff members have acted appropriately to ensure no conflict of interests arise in their day to day work.

If the Honourable Member has evidence of any wrongdoing, he has an obligation to immediately refer the matter to the relevant authority for full investigation.

Question on Notice
No. 893
Asked on 18 August 2009

MR LANGBROEK asked the Premier and Minister for the Arts (MS BLIGH) -

QUESTION:

Will the Premier advise for each staff member employed in her office at an AO7 salary or above (a) who has worked for a lobbyist, either employed or contracted, in the last three years, (b) in relation to (a) the name of the lobbyist firm/firms and the dates of employment and (c) the names of clients that staff in (a) lobbied for while employed by the lobbyist firm/firms in (b)?

ANSWER:

It is a matter of public record that a small number of current ministerial staff have previously worked as lobbyists. In each case, I am satisfied that these staff members have acted appropriately to ensure no conflict of interests arise in their day to day work.

If the Honourable Member has evidence of any wrongdoing, he has an obligation to immediately refer the matter to the relevant authority for full investigation.

Question on Notice
No. 1983
Asked on 26 November 2009

MR DEMPSEY asked the Premier and Minister for the Arts (MS BLIGH) -

QUESTION:

With reference to the Premier's staff member, Ms Nicole Scurrah -

- (1) What date was Ms Scurrah appointed Deputy Chief of Staff?
- (2) Since her appointment, on what dates has Ms Scurrah taken part in meetings that included representatives from her former employer, Enhance?
- (3) On what occasions did Ms Scurrah have meetings with Enhance clients for whom she had worked as a lobbyist and who were those clients?

ANSWER:

Ms Nicole Scurrah was appointed as Deputy Chief of Staff effective from 14 April 2009.

As the Member should be aware, Enhance Corporate Pty Ltd's current entry on the Register of Lobbyists is publicly available on the website of the Department of the Premier and Cabinet. The register lists 84 third party clients that currently retain, or have previously retained, the services of Enhance Corporate to provide lobbying services. Many of these clients are major businesses and organisations and representatives of Government, including my staff, have regular dealings with many of them.

I have no reason to believe any of my staff have acted inappropriately in their dealings with current or former clients of Enhance Corporate. If the Member has evidence of any wrongdoing, he has an obligation to immediately refer the matter to the relevant authority for full investigation.



Office of the Premier

Please quote: RTIP4

Your ref: 57/09

09 November 2009

Mr James Martin
Office of the Leader of the Opposition
Parliament House, Alice Street
BRISBANE QLD 4000

Executive Building
100 George Street Brisbane
PO Box 15185 City East
Queensland 4002 Australia
Telephone +61 7 3224 4500
Facsimile +61 7 3221 3631
Email ThePremier@premier.qld.gov.au
Website www.thepremier.qld.gov.au

Dear Mr Martin

YOUR RIGHT TO INFORMATION APPLICATION

I refer to your application dated 28 September 2009, which was received by the Office of the Premier on 05 October 2009, seeking access to information under the *Right to Information Act 2009 (Qld)* (the Act).

The scope of your application was for information provided to the Premier in order to satisfy her that current ministerial staff who have previously worked as lobbyists have acted appropriately to ensure no conflicts of interest have arisen in their day to day work.

Search Results

Searches were conducted of the records management system and physical searches were made of pertinent areas of the Office of the Premier. No folios relevant to your application were located.

Access decision

Section 47(3)(e) of the Act states –

"47 Grounds on which access may be refused

...
(3) On application, an agency may refuse access to a document of the agency and a Minister may refuse access to a document of the Minister –

...
(e) because the document is nonexistent or unlocatable as mentioned in section 52;

...

Section 52(1)(a) of the Act states –

"52 Document nonexistent or unlocatable

(1) For section 47(3)(e), a document is nonexistent or unlocatable if –

(a) the agency or Minister dealing with the application for access is satisfied the document does not exist ...



**Queensland
Government**

09-NOV-2009 17:12
As the Office of the Premier does not hold documents that fall within the scope your application, access is refused under section 47(3)(e) of the Act.

The date of the decision is **Monday, 09 November 2009.**

Review of Decision

If you are not satisfied with this decision, you can apply for internal review under section 80 of the Act. An application for internal review must be made to the Office of the Premier within **20 business days** after the day on which you receive this decision. The internal review will be undertaken by an officer more senior to the original decision maker.

Your application can be lodged by post, fax or email to the Office of the Premier, as follows:

Post: Senior Policy Advisor
Office of the Premier
PO Box 15185
CITY EAST QLD 4002
Fax: 07 3237 1044
Email: erti@premiers.qld.gov.au

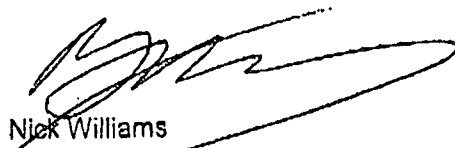
You do not, however, have to request an internal review to be eligible to apply for an external review by the Information Commissioner under section 85 of the Act.

An external review application must be made to the Information Commissioner within **20 business days** from the day on which you receive this decision. Your application can be lodged with the Information Commissioner in any of the following ways:

In person: Level 4, 300 Adelaide Street, Brisbane
Post: PO Box 10143, Adelaide Street, Brisbane, Qld 4000
Fax: 07 30057150
Email: administration@oic.qld.gov.au
Online: <http://www.oic.qld.gov.au>

Please do not hesitate to contact me on (07) 3224 4500 if you have any queries regarding your request.

Yours sincerely



Nick Williams
Senior Policy Advisor

Attachment 3.

3. Copy of letter sent to the Premier by the previous Leader of the Opposition, Lawrence Springborg MP, outlining Fitzgerald Report recommendations that have still not been implemented in relation to public sector appointments and asking for the Premier's action.

4 March, 2008

The Hon Anna Bligh, MP
Premier
Executive Building
100 George Street
BRISBANE QLD 4000

Dear Premier

Most Queenslanders are now aware of my drive to restore standards and accountability to the Queensland Government following a number of decisions including legalised lying and the cover-up and denial of workplace bullying.

As a part of my bipartisan and inclusive leadership, I am seeking your support for a number of recommendations made by the *Fitzgerald Inquiry* that, strangely, with the passage of twenty years, have still not been adopted in Queensland.

The two outstanding recommendations relate to government advertising and the ethical appointment of public servants.

The first recommendation would put an end to any question that government advertising was being used for political purposes and fits nicely with your professed claim to want to cut government advertising.

The second recommendation relates to the ethical appointment of public servants and its' adoption by you would dilute public and media cynicism about the appointment of Ministers' relatives, members of political parties etc to key government roles. Of course, your failure to adopt the *Fitzgerald* recommendation could further diminish public confidence in future appointments.

../2

As you would recall, last week I gave bipartisan and inclusive backing to your call for a Parliamentary Committee to look at fixed four-year terms and to look at other issues of accountability as a part of attaining bipartisan support.

I am now looking for your bipartisan leadership to implement Section 3.9.3 of the Fitzgerald Report relating to a parliamentary committee to look at publicly funded advertising and to ensure the money spent is for genuinely informing the public and not being used for distributing propaganda for political gain.

Media Units and Press Secretaries
Section 3.9.3

Consideration should be given to establishing an all-party parliamentary committee to monitor the cost and workings of Ministerial and department media activities, including press secretaries, media units and paid advertising. This committee could analyse whether the money spent is on informing the public, or distributing propaganda for political gain. It could also bring to the attention of Parliament any misrepresentation or misinformation emanating from the administration.

It is unavoidable that Ministerial office expenditure and Ministerial media staff will, by nature, be largely politically focused. But in relation to government advertising and departmental media units, there is a public expectation that these should not be.

The second recommendation I am seeking your support for relates to the appointment of senior public servants and a recommendation that the Opposition's Shadow Ministers be consulted prior to appointment so that any concerns about political affiliations or personal relationships can be discussed frankly prior to appointment.

I should like to make it clear that over the years I have seen public servants, who have been appointed to senior positions, subjected to question marks because of their personal relationship or political affiliation. Sometimes the public servant was without a shadow of a doubt eminently qualified and on other occasions they were eminently unqualified.

No one should be excluded from fair selection. This recommendation doesn't inhibit relatives or party members being appointed on merit, instead it assists the transparency and credibility of an appointment IF it is a meritorious selection.

You and I both have a duty to both the public and to the individual public servant to ensure the process isn't only transparent but is seen to be transparent.

The purpose of my call is to put in place a structure where these issues can be discussed frankly so when a senior public sector appointment is to be made, a proper and open process of consultation has been undertaken in advance so that any legitimate or perceived issues about personal or political affiliations can be discussed.

I give an undertaking that such a mechanism would remain in place under a Springborg Government, indeed it would be a Springborg Government policy.

Special Appointments (Section 5.3.4)

"In a further attempt to develop administrative impartiality, it might be desirable to make special conditions apply to the appointment of officials with independent functions such as chief executives of Government departments and instrumentalities (and perhaps their immediate subordinates), statutory and Parliamentary officers such as the Auditor-General, the Ombudsman, the Commissioner for Police and the Clerk of Parliament and members of tribunals, Government bodies and other organizations to which, by law or convention, the Governor in Council or a Minister has a right of appointment.

Appropriate appointment procedures for senior positions could be made in a way that not only ensures that talented people apply for those positions, but that public scepticism is reduced.

A reasonably practical compromise may be the public adoption of guidelines to govern all senior public appointments. Such guidelines might observe the following principles:

- *There should be appropriate consultations with "Opposition Shadow Ministers", professional associations and other relevant bodies and people, with reference to all potentially relevant circumstances, including any personal or political connections which the appointee has with the Government or any of its members or their political party.*

I look forward to your bipartisan support for restoring leadership and accountability to Government.

Yours sincerely

LAWRENCE SPRINGBORG
Leader of the Opposition