



**Victorian
Public Sector
Commission**



Sharing information between departments and public entities scenario

Learn what steps departments and public entities can take to share information well.

How to use this scenario

This scenario is for department and public entity employees.

It will help you explore some good governance practices that support departments and public entities to share information with each other well.

We use a scenario of when a public entity and department must work together to appoint a new board member. But you can apply this advice about sharing information to many other contexts.

Either as a group or on your own:

1. Read the scenario and result
2. Use the discussion questions to analyse what could be done differently in the scenario

3. After discussing, check the advice under each question to see the preferred course of action.

People involved in this scenario

- Department employee
- Public entity employee
- Board chair
- Public entity CEO
- Minister

The scenario

Months in advance, a department and public entity start to plan how they'll appoint a new member to a board vacancy.

The department works with the current board to write a position description.

Through a recruitment process:

- the department's portfolio governance team supports the public entity to run a recruitment process and briefs the minister on the preferred candidate
- the cabinet and executive services team runs the cabinet submission process on the board appointment
- neither team in the department keeps the public entity informed of how the board appointment is progressing.

No one from the department keeps the public entity advised on how the board appointment is progressing.

The minister announces the appointment of the board member before they:

- inform the public entity's board chair and CEO
- advise the board member their appointment has been approved.

The result

The board chair and CEO learn of the news through the minister's announcement.

The board member learns of their appointment at the time of the minister's announcement.

The board chair and CEO are unprepared to:

- answer the media's questions about the appointment
- provide support to the board member in a timely way.

The relationship between the department and the public entity becomes strained.

Discussion questions

Use these questions to self-reflect or guide discussions in your team:

- What steps can public sector leaders put in place to prevent this scenario from occurring?
- What obligations would prevent departments from sharing appointment information with the public entity?
- What communication protocols about appointments do you have in place between your public entity, department and minister's office?

Preferred course of action

Open allClose all

What should have happened instead?

The department and public entity should have considered having the board chair or a member of the board's recruitment committee on the selection panel.

Everyone involved should have agreed who would communicate with the public entity and preferred candidate at all stages of the appointment.

This should have included a discussion between:

- the minister's office
- the department's cabinet and executive services teams
- the department's relevant governance or policy branch.

The public entity should have confirmed with the department who would give them and the candidate updates, if they felt this wasn't clear.

The department should also have updated the board chair and/or CEO at each stage of the appointment — keeping cabinet-in-confidence sensitivities in mind.

At a minimum, the department or minister's office should have advised the board chair and/or CEO when they received cabinet and Governor-in-Council approval of the appointment and before a media release.

Departments and public entities should have maintained communication throughout the recruitment process.

This would have ensured they were both prepared to support the new appointee and manage any other issues that arose.

What are some other things to consider?

Cabinet decisions are confidential.

You can't share an appointment widely before the Governor-in-Council approves it.

But you can prepare a media release in advance of a decision and send it after the Governor-in-Council decision.

Some appointments have a greater public interest than others so will be more sensitive.