



**Victorian
Public Sector
Commission**

Welcome to Government



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Foreword

Welcome to Government has been developed to support you as a public sector employee. It is a reference guide that provides an overview of how government works in Victoria. It explains the functions of key institutions such as Parliament, the executive and the judiciary. It describes the composition and role of the Victorian Public Service and public sector. It also provides information on Victoria's finances, accountability mechanisms, the employment framework, and the levels of government in Australia.

The Victorian public sector plays a key role in supporting the Government of the day to serve the Victorian people. On behalf of the elected Government, the Victorian public sector funds, delivers and regulates a range of public services. Critical services such as public hospitals, schools and TAFE institutes; the police, courts and corrections system; as well as major roads and public transport, are the most visible areas of public sector activity.

The public sector also provides ambulance, fire and emergency relief services; consumer protection; support for the agricultural industry; and programs to support business development. It is responsible for managing major public buildings and facilities, such as Federation Square, Olympic Park and the MCG; major cultural institutions, such as the National Gallery of Victoria, Melbourne Museum, and the Royal Botanical Gardens; and promoting tourism and major events such as the Van Gogh Exhibition and the Australian Open.

All these services are delivered by organisations and staff that comprise the Victorian public sector. It is a major enterprise with an annual budget of \$60 billion and over 200,000 full time employees. As a public sector employee, you may be developing government policy, providing advice to Ministers, or delivering government programs and services. You may be working with communities, the not-for-profit sector or other levels of government such as the Commonwealth or local government. No matter what your role, you operate within a common framework of governance processes, policies and accountability.

Understanding how government works and the processes of government is a cornerstone of being able to effectively work in the public sector. This guide is intended to assist you in your role.



1. Australia's System of Government

Australia has three levels of government: Commonwealth, state and local.

Victoria became an independent British colony in 1851 and a state in 1901. The Commonwealth of Australia was formed in 1901 when six British colonies joined together. The 1901 Australian Constitution established a federal system of government and the Constitution defines the boundaries of law-making powers between the Commonwealth and the states. Three territories – the Australian Capital Territory, the Northern Territory and Norfolk Island – have powers defined in Commonwealth law which grants them the right of self-government.

Each state has its own state Constitution and can make laws on any subject that is related to the state. The Commonwealth can also make laws, but only in relation to the subjects specified in the Commonwealth Constitution. Where there is conflict between Commonwealth and state laws, the Commonwealth law prevails.

Changes to the Australian Constitution require a referendum, or popular vote, in which the proposal is approved by a majority of voters overall, and a majority of voters in the majority of states. It is the principal function of the High Court of Australia to interpret the Constitution and to decide disputes about its meaning.

Local governments are established by state and territory governments to maintain significant infrastructure, provide a range of services and enforce various laws for their communities. These smaller legislative bodies make by-laws which relate to matters of local interest such as local roads, parks and playgrounds, rubbish collection, library services, sporting fields, street signage and domestic animal regulation.

Further information: www.australia.gov.au

2. Victoria's System of Government

Victoria's system of government is based on the Westminster system. Westminster is the name given to the system of parliamentary democracy used in countries such as Britain, Canada, and New Zealand. There are two key concepts underpinning the system of government – the separation of powers and responsible government.

Under the doctrine of the separation of powers, the institution of government has three separate branches:

- the legislature (Parliament) – makes the laws;
- the executive – implements the laws; and
- the judiciary – interprets and applies the laws.

The powers and functions of each branch are separate and carried out by separate personnel. This is to ensure that no single branch can exercise complete authority.

Under the Westminster system of responsible government, this separation is not complete as there is some overlap. Responsible government means that the executive (the Premier and Ministers) is accountable to Parliament. However the Premier and Ministers are also Members of Parliament and are therefore part of the legislature as well as the executive.

Ultimate accountability is to the people of Victoria as Members of Parliament are representatives of the people and are made accountable to the people through the process of elections.

Table 1 summarises the branches of Victoria's system of government, their role and composition.

Table 1: Victoria's system of government

| Branch | Role | Composition |
|--------|------|-------------|
|--------|------|-------------|

| | | |
|-------------|--|---|
| Legislature | The legislature or parliament makes the laws | Parliament is made up of the Governor and two bodies or houses comprised of democratically elected members. |
| Executive | The executive implements the laws | The executive comprises the Governor, Premier and Ministers. It also includes departments and agencies. |
| Judiciary | The judiciary interprets the laws | The judiciary consists of a hierarchy of courts. |

2.1 Constitution

The initial Victorian Constitution was drafted in Melbourne by Victoria’s first Legislative Council in 1853-54 and proclaimed in 1855. The *Constitution Act 1975* (the Constitution) provides the framework for parliamentary democracy and responsible government in Victoria. It defines the powers and responsibilities of the Crown (as represented by the Governor), the Parliament of Victoria, the judiciary and the executive.

Further information: www.legislation.vic.gov.au, www.parliament.vic.gov.au.

2.2 Governor of Victoria

The Governor of Victoria represents the Crown (or the Queen) in Victoria. The Queen is formally Australia’s Head of State and is represented by the Governor-General of the Commonwealth of Australia and the Governors of each of the six states.

The Governor is appointed by the Queen on advice from the Premier. The Governor’s powers are conferred by commission from the Queen, the Constitution and Acts of Parliament. Among the functions of the Governor is the provision of Assent to legislation passed by the two Houses of Parliament, which is done in accordance with advice from the Premier.

The Governor recalls, prorogues (suspends), and dissolves Parliament according to



constitutional requirements and on the recommendation of the Premier. The Governor also appoints the new Government and opens Parliament after an election. During the formal opening of Parliament, the Governor reads a statement of the Government's intended legislative program.

The Governor, by convention, acts in accordance with Ministerial advice in relation to all matters other than the 'reserve powers'. Those powers include:

- the power to appoint the Premier,
- the power to terminate the appointment of the Premier; and
- the power to reject advice for the dissolution of Parliament.

The Governor, however, is not a mere 'rubber stamp' in relation to other matters. The Governor has, as the English essayist and journalist Walter Bagehot said, 'three rights', the right to be consulted, the right to encourage and the right to warn. These rights enable the Governor to be aware of developments in government and offer counsel regarding issues of concern. As Bagehot also said, with these three rights, 'a king [or Governor] of great sense and sagacity would want no others'.

Victoria also has a Lieutenant-Governor and an Administrator. The Administrator is the Chief Justice or the most senior judge of the Supreme Court. Appointment as Lieutenant-Governor or Administrator does not confer any powers or functions. If there is no Governor or if the Governor is unavailable to act for a substantial period, the Lieutenant-Governor assumes office and exercises all the powers and functions of a Governor. The Administrator steps in if the Governor or Lieutenant Governor cannot or will not act.

2.2.1 Governor in Council

Where an Act of Parliament or other legal instrument gives power to the Governor 'in Council', this means that the Governor is to exercise it in accordance with the advice of the Victorian Executive Council. The Executive Council consists of at least two and normally four Ministers who meet with the Governor and represent the Government. Parliament gives the Governor in Council the power on matters such as orders, proclamations, regulations and appointments to public offices.

On important issues of policy or matters affecting the government as a whole, Ministers consider the recommendations collectively in Cabinet before the responsible Minister submits a recommendation to the Executive Council.

Further information: www.governor.vic.gov.au

3. Parliament

Victoria is governed by a Parliament. This comprises the Crown which is represented by the Governor, the Legislative Assembly (Lower House) and the Legislative Council (Upper House). This two house system is referred to as a bicameral system. The Legislative Assembly has 88 members who are elected from electorates called districts. The Legislative Council has 40 members elected from eight electorates called regions. Members of both the Legislative Assembly and the Legislative Council serve a fixed term of four years.

The Government must be chosen from the elected Members of Parliament. The party that has the support of the majority of the Legislative Assembly forms Government. It must govern in accordance with the laws passed by Parliament.

Parliament:

- provides for the formation of Government;
- passes legislation;
- approves the Government's budget appropriations;
- represents the people of Victoria; and
- scrutinises the actions of Government.

A Bill must be passed by the Legislative Assembly and the Legislative Council. The Upper House or Legislative Council is known as the house of review as it is responsible for providing a second opinion on Bills passed by the Lower House or Legislative Assembly.

Parliament has a committee structure. Committees consist of Members of Parliament from all parties, not just the elected Government. Committees conduct investigations into specific areas. Joint investigatory and standing committees operate throughout the life of a Parliament. Committees that are set up for a specific purpose and disband after presenting their final report are called select committees. A list of parliamentary committees can be found on the Parliament website.

Another function of Parliament is Question Time. This is generally held each day in the Legislative Council and the Legislative Assembly when Parliament sits. It allows Members of Parliament to ask oral questions directly of the Premier or a Minister. They must respond directly after the question is asked. This differs to questions on notice which are written questions from Members to a Minister. These request detailed information which a Minister must provide in writing.

At the commencement of each Parliament, the Legislative Assembly and the Legislative Council select a Member to serve as the Presiding Officer. The Presiding Officer of the Legislative Assembly is known as the Speaker. In the Legislative Council, the Presiding Officer is the President. Each Presiding Officer is elected by the Members of their respective houses.

Parliament sitting dates are published on the Parliament website.

Further information: www.parliament.vic.gov.au.

3.1 Independent Officers of Parliament

Officers of Parliament are governed by specific legislation. They are responsible to Parliament, not the Government of the day. The Officers of Parliament are the Auditor-General, Ombudsman, Electoral Commissioner, IBAC Commissioner, Victorian Inspector and Parliamentary Budget Officer.

3.1.1 Auditor-General

On behalf of Parliament and Victorian taxpayers, the Auditor-General is responsible for examining the management of resources within the public sector. The appointment, operational independence and tenure of the Auditor-General are set out in the Constitution.

The Auditor-General is not subject to control or direction by either Parliament or Government. The independence of the Auditor-General is enshrined in the Constitution which ensures that findings from financial and performance audits are communicated to Parliament without interference. The *Audit Act 1994* is the main legislation governing the powers and functions of the Auditor-General.

The Audit Act also addresses the relationship of the Auditor-General with Parliament and with Parliament's [Public Accounts and Estimates Committee](#). The Act assigns several statutory responsibilities to the committee in relation to the work of the Auditor-General, including consideration of the Auditor-General's draft annual work plan and annual budgetary requirements.

Further information: www.audit.vic.gov.au.

3.1.2 Ombudsman

The Ombudsman's responsibilities include investigation of complaints about administrative

actions taken by Victorian government departments, statutory authorities and officers of Local government. The Ombudsman reports to Parliament and can conduct own motion investigations. The Ombudsman's jurisdiction extends across all arms of the State government and its statutory authorities.

Further information: www.ombudsman.vic.gov.au.

3.1.3 Electoral Commissioner

The Victorian Electoral Commission is the administrative agency through which the Electoral Commissioner's statutory obligations are carried out. The main responsibilities of the Victorian Electoral Commission are to maintain the electoral enrolment register; conduct Victorian Parliamentary elections, local council elections, certain statutory elections, commercial and community elections; conduct electoral boundary reviews; and increase the public's awareness of, and engagement in, electoral matters. The *Electoral Act 2002* defines the functions of the Electoral Commissioner and specific requirements for the conduct of elections. Federal elections are conducted independently by the Australian Electoral Commission.

Further information: www.vec.vic.gov.au.

3.1.4 IBAC Commissioner

The IBAC Commissioner is the head of the Independent Broad-based Anti-corruption Commission (IBAC), a body that investigates and exposes corruption and police misconduct. Its jurisdiction includes Members of Parliament, state and local governments and the judiciary. IBAC has powers similar to a Royal Commission and may also conduct own-motion investigations. IBAC also assesses complaints made under the *Protected Disclosures Act 2012*. Heads of public bodies have a legislative obligation to report suspected corrupt conduct to IBAC.

IBAC also educates and informs the public sector and community about corruption and police misconduct, and ways to prevent it.

Further information: www.ibac.vic.gov.au

3.1.5 Inspector

The Inspector is the head of the Victorian Inspectorate (VI). The main role of the VI is to



ensure that the agencies it oversees are using their powers and exercising their functions properly. The VI is required to monitor the use of coercive powers (such as powers to summons, examine witnesses or to make organisations provide documents as evidence) by each body it oversees and has power to receive and investigate certain complaints made to it about:

- Independent Broad-based Anti-corruption Commission (IBAC) and its personnel
- Victorian Ombudsman officers
- Chief Examiner and Examiners
- Office of the Victorian Information Commissioner (OVIC) officers
- Victorian Auditor-General's Office (VAGO) officers

The VI is required to inspect and audit relevant records kept by the Public Interest Monitor (PIM) and report to the Minister and the Parliament on that inspection and audit.

The VI also has a compliance role, promoting the public interest by ensuring that agencies that are able to exercise covert powers (such as intercepting telephone conversations, placing surveillance devices and conducting controlled operations) adhere to their statutory record-keeping and other obligations. VI officers physically inspect and assess records and documents relating to the use of covert powers.

Further information: www.vicinspectorate.vic.gov.au/

3.1.6 Parliamentary Budget Officer

The Parliamentary Budget Officer (PBO) was established in 2017 to cost policy proposals and provide financial advice independently of the Government. The primary functions are:

- preparing election policy costings, pre-election reports and post-election reports;
- preparing costings of other policies or proposed policies at the request of a Member of Parliament; and
- providing advisory services to Members of Parliament on financial, fiscal or economic matters (including in relation to the costing of proposals included in the State Budget).



4. The Executive

The executive is responsible for the administration of laws passed by Parliament and the delivery of public services. The executive comprises Ministers and the administrative agencies of government such as departments and public entities.

4.1 Premier, Special Minister of State and Ministers

The Premier is the head of the Victorian Government and is also the elected leader of the party or parties with a majority in the Legislative Assembly. The Special Minister of State oversees government transparency, integrity, accountability and public sector administration and reform.

Ministers are appointed by the Governor to a portfolio on advice of the Premier. The Premier determines the number of departments and the assignment of Acts to individual Ministers. The Premier also determines the make-up of a portfolio which generally consists of a number of Ministers, one department, and possibly a number of administrative offices and associated public entities. Examples of portfolios include health, education and finance.

Ministers are accountable for the Acts in their portfolio. They are also responsible for the operation of the department and public entities that are part of their portfolios. Ministers are supported by ministerial advisers who provide political advice on policy and other issues. Ministerial advisers are employed by the Premier. By convention, they are exempt from being examined by parliamentary committees.

A list of current Ministers and their portfolios is available on the Premier's website. The General Order allocates responsibility for administration of Acts of Parliament to Ministers. A copy of the General Order is available on the Department of Premier and Cabinet website.

Further information: www.premier.vic.gov.au, www.dpc.vic.gov.au

4.2 Cabinet

Cabinet consists of the Premier and all Ministers. The Premier is the chairperson of Cabinet. Cabinet is the means through which the Government makes decisions on policy, the legislative program and administrative issues. It is a formal meeting of Ministers but has no legal status or powers.

A Cabinet submission is a document prepared for Cabinet's consideration. Cabinet considers a range of submissions, including policy proposals, legislative proposals, Ministerial Statements, Cabinet Committee reports and appointment submissions for government bodies. Cabinet decisions are collective and binding on all Ministers as Government policy.

Collective responsibility is supported by the strict confidentiality attached to Cabinet documents and to discussions in the Cabinet Room. Cabinet and Cabinet Committees are forums in which Ministers, while working towards a collective position, are able to discuss proposals and a variety of options and views with complete freedom. The openness and frankness of discussions in the Cabinet Room are protected by the strict observance of confidentiality.

Legislative proposals come to Cabinet in two stages. The first stage is to seek approval in principle (AIP) for the drafting of the Bill. The submission includes drafting instructions that describe what the Bill seeks to achieve. Once approval in principle has been given, a Bill is drafted in accordance with the drafting instructions. The second stage is to seek Cabinet approval of the Bill prior to its introduction in Parliament. This is known as Bill at Cabinet (BAC).

Cabinet has a committee structure which allows for more detailed consideration of issues. The committees develop and consider proposals for endorsement by Cabinet. Committees do not have decision making authority unless this has been delegated by Cabinet. Cabinet Committees have particular areas of focus such as economic development, social development and the environment.

Further information: www.dpc.vic.gov.au.

4.3 Executive Council

The Executive Council was established under the Constitution Act and exercises the principal executive authority in Victoria. Executive Council advises the Governor on the exercise of certain powers of the Governor. The term Governor in Council refers to when the Governor acts formally with the advice of the Executive Council. Parliament gives the Governor in Council the power on matters such as orders, proclamations, regulations and appointments to public offices.

Unlike Cabinet, the Executive Council is not a deliberative body. All Ministers are members of the Executive Council. A quorum consists of the Governor and two Ministers. The Executive Council generally meets weekly.

Further information: www.dpc.vic.gov.au.



5. The Judiciary

Laws are made by state and Commonwealth governments, which means there are state and Commonwealth courts and tribunals. Victoria has a number of courts and tribunals. Their role is to interpret the laws, adjudicate disputes and impose penalties on people or organisations that have broken the law.

5.1 Courts

The Victorian court system comprises:

- the Supreme Court which is the highest court in Victoria, and hears substantial criminal and civil matters. It is divided into the Court of Appeal and the Trial Division;
- the County Court which deals with middle tier criminal matters and civil disputes;
- the Magistrates' Court which handles minor criminal matters and civil disputes up to the value of \$100,000;
- the Children's Court which deals with matters relating to children and young people; and
- the Coroners Court which investigates all reportable deaths.

All justices and magistrates are appointed by the Governor in Council on the recommendation of the Government of the day. Justices cannot be removed by the Government; this can only be done by both Houses of the Victorian Parliament sitting as one. The Victorian court system does not operate in isolation from the Federal Court system. Appeals on Supreme Court determinations can be made to the High Court of Australia.

Further information: www.courts.vic.gov.au.

5.2 Tribunals

Tribunals are usually less formal than courts and resolve a broad range of disputes. The Victorian tribunals include:

- the Victorian Civil and Administrative Tribunal (VCAT) which hears and determines disputes, including disputes about the purchase and supply of goods and services, consumer credit, discrimination, and residential and retail tenancies. It also deals with disputes between people and the state or local government in areas such as planning and

business licensing. VCAT decisions can be appealed to the Supreme Court but only on questions of law.

- the Victims of Crime Assistance Tribunal which provides assistance to victims of violent crime, where the crime occurred in Victoria.

Further information: www.courts.vic.gov.au.

5.3 Criminal Justice System

The courts and tribunals are part of the criminal justice system. Other public sector bodies within the criminal justice system, such as the Office of Public Prosecutions and Victoria Police are separate from the judiciary.

Further information: www.opp.vic.gov.au, www.police.vic.gov.au.

6. Victorian Public Sector

The Victorian public sector supports the Government of the day in serving the Victorian community. This is done by providing public services; supporting Ministers in developing and implementing policies and legislation; building and maintaining physical and social infrastructure; managing resources; and administering state finances. It operates across a range of functions including:

- health and community services;
- education;
- public safety and emergency management
- transport, public infrastructure and planning;
- water supply, land management and environment;
- financial management
- industry development; and
- culture and sports.

The public sector comprises:

- the Victorian Public Service including departments, administrative offices and the Victorian Public Sector Commission;
- special bodies; and
- public entities such as hospitals, TAFE institutes and water authorities.

Further information: www.vpsc.vic.gov.au

6.1 Public Entities

Victoria has a long tradition of using public entities as well as departments to perform functions or provide services on behalf of Government. These public entities take a range of legal forms including corporations, statutory authorities and advisory committees. They are at 'arm's length' from Ministers.

Victoria's public entities include school councils, cemetery trusts, and state owned enterprises, trusts, boards, advisory bodies, management committees and statutory

authorities. These undertake functions such as health care, ambulance services, TAFE, land development, and management of water, parks, ports, transport and public facilities. In addition, there are public Crown land reserve committees of management, bringing the total number of Victorian public entities to over 3,000.

Examples of public entities include South East Water, Federation Square, Victorian Ports Corporation, Transport Accident Commission, Royal Botanic Gardens and Ambulance Victoria.

In this guide, the term 'public entity' has the same meaning as in the Public Administration Act. Examples of bodies that fall outside of the Act's definition of a public entity are local government bodies, community health centres and universities. However, those bodies may fall within the jurisdiction of other Victorian legislation and the office holders who carry out functions under that legislation such as the Auditor-General, Ombudsman, IBAC and the Victorian Information Commissioner.

6.2 Governance

Governance is a method or system of government or management. In relation to public entities, governance is about how a public entity is controlled and managed. Governance includes the relationships between the Minister, portfolio department, public entity board, senior management and stakeholders, and the accountability arrangements that support these relationships. It provides the foundation for public entities to achieve high performance, while remaining accountable, preserving public trust and responding effectively to the changing demands placed upon them.

The governance framework for Victorian public entities is established by a combination of the public entity's enabling legislation and the umbrella requirements set out in the Public Administration Act and other legislation such as the Financial Management Act.

Public entity governance is a key part of the Victorian public sector accountability framework. Ministers are accountable to the Parliament and community, and public entity boards are accountable to their Minister. In this framework, accountability is further strengthened by agencies such as the Auditor-General and Ombudsman.

The Victorian Public Sector Commission has produced a range of reference material for potential, new and existing directors. This includes the *Code of Conduct for Directors of Victorian Public Entities* and *Welcome to the Board*.

7. Victorian Public Service

The Victorian Public Service (VPS) supports the Government of the day by providing policy advice to Ministers and implementing Government policy. Policy advice provided by public service employees is not the same as policy advice provided by ministerial advisers. Public service employees provide impartial and objective advice. It is often referred to as 'frank and fearless advice'. Ministerial advisers on the other hand, provide advice that is explicitly political. Ministerial advisers are not public service employees.

A current list of departments and administrative offices can be found in the Victorian Public Sector Commission publication, *The State of the Public Sector in Victoria*, and on the Register of Instruments section of the Victorian Public Sector Commission website.

Further information: www.vpsc.vic.gov.au

7.1 Portfolios

A portfolio is a Minister's area of responsibility and includes the Acts that the Minister administers and the relevant organisations in the portfolio such as the department and public entities.

7.2 Departments

Departments are the central policy advisers and program administrators for Ministers and Government. The role and status of departments are not specified in detail in legislation or the Constitution. In Victoria, some departments advise and support a number of Ministers and ministerial portfolios.

The terms 'central agency' and 'line department' are used to describe the functions of departments. A central agency has whole of government policy responsibilities and includes the Department of Premier and Cabinet and the Department of Treasury and Finance. A line department, such as the Department of Health and Human Services, is responsible for policy development, planning and the delivery of specific services.

The number and scope of departments will reflect the strategy and priorities of the Government of the day. The term 'machinery of government' refers to the allocation of functions between departments and Ministers. Departments can be created, abolished and altered by an Order in Council under the *Public Administration Act 2004*.

In Victoria, machinery of government matters, that is the allocation of functions between departments and Ministers, are the sole responsibility of the Premier.

7.3 Administrative Offices

Administrative offices are public service bodies that are distinct from departments, but have a reporting relationship to the portfolio department Secretary. The heads of administrative offices are responsible to the Secretary for the management of the office. In some cases, legislation confers certain responsibilities and powers to administrative office heads for which they are directly accountable to the responsible Minister.

Staff who work in an administrative office are public service employees. Examples of administrative offices include the Office of the Chief Parliamentary Counsel and the Office of the Governor.

7.4 Victorian Public Sector Commission

The Victorian Public Sector Commission (VPSC) is neither a department nor an administrative office. It reports directly to the Premier.

VPSC's key functions are to:

- strengthen the efficiency, effectiveness and capability of the public sector in order to meet existing and emerging needs and deliver high quality services; and
- maintain and advocate for public sector professionalism and integrity.

7.5 Public Service Body Head

The head of each department, administrative office and the Victorian Public Sector Commission is a public service body head. Section 16 of the Public Administration Act also lists a small number of office holders who have the functions of a public service body head in relation to their own staff. This includes the Auditor-General and the Victorian Information Commissioner.

In a department, the public service body head is generally referred to as 'Secretary'. Appointments of public service body heads are approved by the Premier. Key responsibilities of a public service body head are set out in the Public Administration Act. These include:

- the general conduct and effective, efficient and economical management of the functions and activities of the relevant public service body
- advising the relevant Minister(s) in all matters relating to the public service body; and
- independently exercising employer powers under the Public Administration Act.

Public service body heads are also responsible for the safety and well being of the staff in their department.

7.6 Victorian Secretaries Board

The Victorian Secretaries Board (VSB) comprises the Secretaries of each department, the Chief Commissioner of Police and the Victorian Public Sector Commissioner. The VSB is chaired by the Secretary of the Department of Premier and Cabinet. It coordinates issues of strategic importance across the public sector, and promotes leadership and information exchange in the public service. The VSB does not have a legal status. The Department of Premier and Cabinet provides secretariat support to the VSB.



8. Values, Codes of Conduct, Employment Principles and Standards

The Public Administration Act defines the values and employment principles that underpin the operations and culture of the Victorian public sector. The Victorian Public Sector Commission (VPSC) has issued codes of conduct in relation to the values and has issued standards in relation to the employment principles. These are binding on employers and employees alike and are explained in more detail below.

Further information: www.vpsc.vic.gov.au

8.1 Public Sector Values

Public sector values underpin and reflect the behaviours essential to employees' relationship with Government, the community and colleagues. All public sector employees and other public officials must adhere to the values. Employers must promote the values in their organisation. They must also ensure that any statement of values adopted or applied in their organisation is consistent with the public sector values.

The values outlined in the Public Administration Act state that public officials should demonstrate:

Responsiveness

- providing frank, impartial and timely advice to government
- providing high quality services to the Victorian community
- identifying and promoting best practice.

Integrity

- being honest, open and transparent in their dealing
- using powers responsibly
- reporting improper conduct

- avoiding real or apparent conflicts of interest.
- striving to earn and sustain public trust at the highest level.

Impartiality

- making decisions and providing advice on merit without bias, caprice, favouritism or self-interest
- acting fairly by objectively considering all relevant facts and applying fair criteria
- implementing government policies and programs equitably.

Accountability

- working to clear objectives in a transparent manner
- accepting responsibility for their decisions and actions
- seeking to achieve best use of resources
- submitting themselves to appropriate scrutiny.

Respect

- treating others fairly and objectively
- ensuring freedom from discrimination, harassment and bullying
- using their views to improve outcomes on an ongoing basis.

Leadership

- actively implementing, promoting and supporting these values.

Human Rights

Public Officials should also respect and promote the human rights set out in the *Charter of Human Rights and Responsibilities Act 2006* by:

- making decisions and providing advice consistent with human rights



- actively implementing, promoting and supporting human rights.

8.2 Codes of Conduct

Codes of conduct guide behaviour within an organisation. They are a public statement of how an organisation and its employees interact with Government, the community and each other. They promote adherence to the public sector values. A code is binding on any person to whom it applies and breaching the code may constitute misconduct.

The Victorian Public Sector Commission has issued three binding codes of conduct for the Victorian public sector:

- Code of Conduct for Directors of Victorian Public Entities
- Code of Conduct for Victorian Public Sector Employees
- Code of Conduct for Victorian Public Sector Employees of Special Bodies

Employers are to develop and implement policies and procedures tailored to their own operating environment to support application of the code. Employees are required to comply with these policies and procedures.

8.3 Employment Principles

The employment principles provide public sector employees and employers with a framework for ensuring employment decisions are fair. They require an employer to establish processes to ensure:

- employment decisions are based on merit;
- employees are treated fairly and reasonably;
- equal employment opportunity is provided;
- human rights as set out in the Charter of Human Rights and Responsibilities are upheld,
- employees have a reasonable avenue of redress against unfair or unreasonable treatment; and
- a career public service is fostered (in the case of public service bodies).

8.4 Standards

The Victorian Public Sector Commission issues standards for application of the employment principles. The standards outline binding minimum requirements and support translation of the principles into sound and workable policies and processes.

Employers must establish policies and processes that will ensure the employment principles apply in their organisation. They must also ensure that their employees are informed about the application of the employment principles and standards.



9. Victoria's Finances

Good financial management in the public sector is crucial. There is a range of processes in place which ensure that money spent on the public's behalf is effective, efficient and in the best interests of all Victorians.

9.1 Sources of Revenue

The Victorian Government raises revenue and also receives revenue from other sources. Revenue is raised from taxes such as land and payroll tax, the sale of goods and services, and other revenue sources such as investment income, fees and fines.

The Victorian Government receives revenue from the Commonwealth Government. This consists of 'tied' and 'untied' grants. Tied grants (Specific Purpose Payments) are provided under certain agreed conditions, for example, that they are spent on nominated services as agreed with the Commonwealth. Untied grants are mostly funded from the Goods and Services Tax which is collected by the Commonwealth and then distributed to the states and territories.

Further information: www.dtf.vic.gov.au.

9.2 Appropriation Bill

The Constitution provides that the Lower House is the source of all legislation involving the expenditure of government revenue. The passage of the annual Victorian budget must be initiated in the Legislative Assembly. The budget is reflected in the Appropriation Bill which is passed annually and provides the key mechanism through which Parliament authorises the expenditure of public money. It provides appropriation authority to the Treasurer, who applies the appropriations based on agreed outputs and targets specified in the budget papers.

Further information: www.parliament.vic.gov.au.

9.3 Budget Papers

The Government's primary account is the consolidated fund that receives all revenue raised by and granted to the state, and from which amounts are appropriated by Parliament for specific purposes. The consolidated fund, together with the trust fund, forms

the public account. All payments from it must be authorised by Parliament.

Each year in May, the Government publishes the budget papers, including the Appropriation Bill, which detail projections of Government income and expenditure for the coming financial year. They also outline the current financial position of the state.

Some material published in the budget papers is required by law. Additional material is also included for the information of Members of Parliament and the public. The Government of the day determines how many budget papers there are and what additional material is included in them. In recent years the Government has published a number of supporting documents and five principal budget papers:

- Budget Paper No. 1: *Treasurer's Speech* commends the Appropriation Bills to Parliament and highlights the Government's key initiatives and priorities;
- Budget Paper No. 2: *Strategy and Outlook* provides details of the Government's overall high-level strategy for the coming year;
- Budget Paper No. 3: *Service Delivery* focuses on output and service delivery by departments; and
- Budget Paper No. 4: *State Capital Program* lists the capital programs and projects currently underway.
- Budget Paper No. 5: *Statement of Finances* contains general government financial information, departmental financial statements and reporting of government finance statistics.

The budget is preceded by an extensive process within Government overseen by the Expenditure Review Committee of Cabinet. This process determines both the overall level of expenditure and the amounts to be allocated to competing priorities. Parliament appropriates most of the money in the budget for outputs (mainly services provided by government) and additions to the net asset base (mainly capital works).

The Victorian Government also produces a mid-cycle review of the annual budget. The budget update provides revised estimated financial statements. This includes the projected outcome for the end of the current financial year and revised estimates for the forward years. This is generally released in December each year.

Further information: www.dtf.vic.gov.au, www.budget.vic.gov.au.

9.4 Financial Management

The *Financial Management Act 1994* administers the use of public money and the accountability processes and secondary legislation with which departments and public entities must comply. The purposes of the Financial Management Act are to:

- improve financial administration of the public sector;
- make better provision for the accountability of the public sector; and
- provide for annual reporting to Parliament on the operations and financial statements of public sector bodies.

Further information: www.dtf.vic.gov.au.

9.5 Procurement

Procurement is an essential part of the public sector's financial management system. It is crucial that there are rigorous processes in place to ensure a high level of probity and accountability in procurement and to ensure that public money is being spent in the most efficient and effective way.

The Victorian Government Purchasing Board (VGPB) was established under the *Financial Management Act 1994* (FMA) and provides leadership in the procurement of government goods and services to deliver value-for-money outcomes for Victoria. The VGPB has a range of policies, good practice guides, tools and templates, that apply to the procurement activities of government departments and some agencies.

The VGPB has accredited departments, through their accountable officer, to assume responsibility for procurement under the FMA, subsequently these departments, and some agencies, are required to comply with VGPB policy and to establish an Internal Procurement Unit (IPU). Each department's IPU has the delegated responsibility to oversee the procurement process and to approve purchases in accordance with its internal policy.

Non mandated organisations are encouraged to adopt the VGPB policy framework and principles to ensure they apply best practice procurement processes ensuring efficient and effective use of public funds.

Further information: www.procurement.vic.gov.au

10. Accountability

Longstanding accountability mechanisms ensure there is strong public oversight of the activities of all Victorian public sector organisations. External scrutiny is provided by a range of formal mechanisms.

10.1 Public Accounts and Estimates Committee

The Public Accounts and Estimates Committee is a joint house investigatory committee of the Victorian Parliament constituted under the *Parliamentary Committees Act 2003*. The Committee has members from the ALP, Liberal Party, National Party and the Greens and from both houses of Parliament.

The Committee is responsible for scrutinising both the public accounts and the budget estimates. The Committee also has various statutory responsibilities in relation to the activities, performance and statutory functions of the Victorian Auditor-General's Office.

Further information: www.parliament.vic.gov.au

10.2 Victorian Auditor-General's Office

The Auditor-General is an independent officer of the Victorian Parliament, appointed under legislation to examine the management of resources within the public sector.

The Auditor-General is not subject to control or direction by either Parliament or Government, and his or her independence is enshrined in Victoria's *Constitution Act 1975*. This independence ensures that findings which arise from a range of financial and performance audits are communicated to Parliament without interference.

The Public Accounts and Estimates Committee recommends the appointment of the Auditor-General and reports to Parliament on the budget estimates and the annual plan of the Auditor-General's Office.

Further information: www.audit.vic.gov.au www.parliament.vic.gov.au

10.3 Victorian Ombudsman

The Ombudsman is an independent officer of the Victorian Parliament. The Ombudsman investigates complaints about administrative actions and decisions taken by government

authorities and about the conduct or behaviour of their staff.

The Ombudsman's powers to conduct investigations are deliberately broad. Unlike specialist review tribunals or commissions, the Ombudsman reviews the lawfulness of organisations' actions or decisions as well as the reasonableness and fairness of these actions in the circumstances.

Further information: www.ombudsman.vic.gov.au.

10.4 Specialised Commissioners

Victoria has a number of public commissioners whose role is to receive complaints and improve services or strengthen protections for the Victorian community.

These include: the Health Complaints Commissioner; Commission for Children and Young People; Victorian Equal Opportunity and Human Rights Commission; Commissioner for Environmental Sustainability; and the Victorian Information Commissioner.

10.5 Privacy and Data Protection

The secure management of information is critical to government service delivery, public trust and confidence. The *Privacy and Data Protection Act 2014* establishes processes to reduce information security risks and maintain individuals' privacy.

With limited exceptions, all Victorian government organisations, including local councils, must comply with the statutory obligations set out in the Act. These include the privacy principles outlining how personal information is to be collected and handled by public sector organisations. It also includes the Victorian Protective Data Security Framework and accompanying Victorian Protective Data Security Standards that have been developed to help organisations achieve data security.

Protecting information (including personal information) is the practice of applying risk-based controls, commensurate with the value of an organisation's information assets. Selected security measures are used by organisations to ensure the continued confidentiality, integrity and availability of information.

The Privacy and Data Protection Deputy Commissioner has a wide range of functions including promoting an understanding of the information privacy principles and protective data security standards, monitoring and assuring the security of public sector data, and receiving complaints relating to alleged breaches of privacy by public sector organisations.

Further information: www.ovic.vic.gov.au

10.6 Freedom of Information

Victoria's *Freedom of Information Act 1982* promotes public accountability by giving people the right to access documents held by government agencies.

Under the Act documents can be obtained from Ministers, government departments, local councils, most semi-government agencies and statutory authorities, public hospitals and community health centres, and universities, TAFE institutes and schools. Requests for access to documents are made directly to the public body holding the documents.

The Information Commissioner is responsible for reviewing organisations' FOI decisions, monitoring compliance and providing guidance to organisations and the public on Victoria's FOI regime.

Further information: www.ovic.vic.gov.au.

10.7 Protected Disclosure

The *Protected Disclosure Act 2012* ensures that people who report improper conduct and corruption in the Victorian public sector can do so in the knowledge that they will be protected from reprisals including bullying, harassment or legal action.

IBAC assesses complaints made under the Protected Disclosures Act.

Further information: www.ibac.vic.gov.au

10.8 Annual Reporting

Victorian public sector organisations are required by the *Financial Management Act 1994* (or other Acts) to prepare an annual report at the end of each financial year for tabling in Parliament by the relevant Minister. There are clear guidelines as to the content to be included.

Each annual report completed under the Financial Management Act includes an audited financial statement by the Auditor-General.

Further information: www.dtf.vic.gov.au.

11. Employment

11.1 Public Service and Public Entity Employment

The Public Administration Act provides explicit authority to public service body heads in relation to the employment of public service employees (Part 3 of the Act). For public entity heads, the employment authority arises either from the legislation under which the public entity is established or under general employment laws.

Key employment powers include the capacity to appoint, promote, transfer and terminate employees' employment. When exercising their employment powers, public service and public entity body heads must comply with the public sector values, code of conduct, employment principles and standards issued by the Victorian Public Sector Commission and any other relevant provisions of the Public Administration Act or regulations.

Further information: www.vpsc.vic.gov.au

11.2 Enterprise Agreement

An enterprise agreement is an agreement entered into between an employer and its employees and/or employee representatives that defines employment conditions for a set timeframe. There are a range of enterprise agreements that operate in the public sector. The Victorian Government's views on industrial relations are explained in the *Public Sector Industrial Relations Policies 2015*. It outlines key principles which underpin the government's approach to industrial relations.

The *Victorian Public Service Enterprise Agreement* provides detailed information on the core conditions of employment for non-executive public service employees in Victoria. The agreement addresses:

- the application and operation of the VPS agreement;
- issues relating to communication, consultation and dispute resolution;
- employment relationship and related arrangements such as redeployment;
- salaries and classifications;
- hours of work;
- leave entitlements and public holidays; and

- occupational health and safety.

Some employees in the intellectual disability area of the Department of Health and Human Services are covered by the agreement with the Health and Community Services Union. A small number of other staff in the VPS are covered by other agreements, for example, field staff in the Department of Environment, Land, Water and Planning, and school nurses in the Department of Education and Training.

Further information: www.fwc.gov.au, www.economicdevelopment.vic.gov.au

11.3 Executive Employment

The Victorian Public Sector Commission (VPSC) manages executive remuneration and the operation of employment policy for the Victorian Public Service (VPS) and the public sector. VPS executives are employed under Part 3 of the Public Administration Act. The *Victorian Public Service Executive Employment Handbook* provides details about the Government's executive employment policy underpinning the Act.

Public entity executive remuneration is set by Government and managed by the Victorian Independent Remuneration Tribunal (the Tribunal). The VPSC provides advice and support on employment matters.

The Premier is the responsible Minister for all policy regarding the employment of public service and public entity executives and chief executive officers.

Further information:

www.vpsc.vic.gov.au, www.vic.gov.au/victorian-independent-remuneration-tribunal

11.4 Other Employment Information

Other employment information about working in an organisation can be found in a range of sources. This could include an organisation's induction program, intranet, managers or the human resources unit. These resources can provide information about employment conditions, organisational roles and structures, business processes, human resources policies and procedures, learning and development opportunities and occupational health and safety.

The Victorian Public Sector Commission website also contains information about employment in the public sector for both staff and managers.

Further information: www.vpsc.vic.gov.au



12. Checklist of Relevant Legislation

12.1 Constitution Act 1975

The Constitution Act sets up the structure for Government at state level and provides the foundations for the Victorian Parliament, courts and government.

Further information: www.parliament.vic.gov.au.

12.2 Public Administration Act 2004

The Public Administration Act provides a framework for good governance in the Victorian public sector and for public administration generally. The Act:

- establishes the Victorian Public Sector Commission
- provides a framework for good governance in the Victorian public sector;
- defines values to promote the highest standards of integrity and conduct;
- outlines principles to underpin public sector employment; and
- provides for the employment of ministerial officers, parliamentary advisers and judicial employees.

Further information: www.vpsc.vic.gov.au

12.3 Financial Management Act 1994

The Financial Management Act administers the use of public money and specifies the accountability processes and secondary legislation with which government entities must comply.

Further information: www.dtf.vic.gov.au.

12.4 Ombudsman Act 1973

The Ombudsman Act provides for the appointment of an Ombudsman and details the Ombudsman's role and functions in relation to the investigation of complaints.



Further information: www.ombudsman.vic.gov.au

12.5 Audit Act 1994

The Audit Act prescribes the auditing and reporting powers of the Auditor-General. The Act empowers the Auditor-General to audit the state's consolidated financial report, and the financial reports of individual departments and other public sector organisations. The Act also authorises the Auditor-General to conduct performance audits and review the Government's estimated financial statements published in the budget papers.

Further information: www.audit.vic.gov.au.

12.6 Charter of Human Rights and Responsibilities Act 2006

The Charter of Human Rights and Responsibilities Act protects the human rights of all people in Victoria. The Charter requires all public authorities and their employees to act compatibly with human rights and to consider human rights when making decisions. This includes public service employees, Victoria Police, local councils and Ministers, as well as non-government organisations performing public functions on behalf of government.

The values and employment principles in the Public Administration Act and the *Code of Conduct for Victorian Public Sector Employees* also require the public sector to respect human rights.

The Victorian Equal Opportunity and Human Rights Commission undertakes specific functions in relation to the Charter including providing information and education, conducting reviews and reporting annually on the operation of the Charter. The Ombudsman considers whether administrative actions are consistent with the Charter. This includes providing an independent assessment of how well state and local government comply with the Charter and investigating particular human rights issues and concerns.

Further information: www.ombudsman.vic.gov.au, www.humanrightscommission.vic.gov.au.

12.7 Privacy and Data Protection Act 2014

The Privacy and Data Protection Act sets standards for the way Victorian government organisations, statutory bodies and local councils collect and handle personal information. Ten information privacy principles are at the core of the Privacy and Data Protection Act.

With limited exceptions, all Victorian government organisations, including local councils, must comply with these principles or have an approved code of practice.

The Information Commissioner and the Privacy and Data Protection Deputy Commissioner have a wide range of functions including promoting an understanding of the information privacy principles, receiving complaints relating to alleged breaches of privacy by public sector organisations and other functions related to protective data security.

Further information: www.ovic.vic.gov.au

12.8 Freedom of Information Act 1982

The Freedom of Information Act gives a person the right to obtain documents held by Ministers; State government departments, local councils, most semi-government agencies and statutory authorities; public hospitals, community health centres, universities, TAFE institutes and schools.

A person can apply for documents that are held by an agency which is covered by the Freedom of Information Act. This includes documents created by the agency or documents supplied to the agency by an external organisation or individual. Some documents may be exempt from the Act such as Cabinet documents. Agencies have 30 days to respond to requests under the Act. In some instances the 30 day period may be extended.

Further information: www.ovic.vic.gov.au

12.9 Public Records Act 1973

The Public Records Act has a number of functions. This includes establishing the Public Record Office Victoria and improving standards for the efficient management, security and preservation of public records. The Public Record Office Victoria supports best practice records management across the public service through training and advice on records management.

Public records include any records made or received by a person employed in a public office in the course of his or her duties. A public record can take many forms, including a document, email, file, picture, register, plan, book, film, recording or website. The Victorian Auditor-General's Office has released a *Records Management Checklist* to improve the management of government records and help agencies fulfil their obligations under the Public Records Act.

Further information: www.prov.vic.gov.au, www.audit.vic.gov.au.

12.10 Protected Disclosure Act 2012

The Protected Disclosure Act encourages the disclosure and investigation of improper conduct by public officers and public bodies. It also provides protection for individuals who make a disclosure or who may suffer reprisals in relation to a disclosure.

Further information: www.ibac.vic.gov.au.



13. Other Levels of Government

There are two other levels of government in Australia apart from state government. These are Commonwealth and local government. Each level of government has different responsibilities and powers.

13.1 Commonwealth Government

The Commonwealth or Australian Government is Australia's national government. It implements laws made by the Parliament of Australia and consists of two houses – the House of Representatives and the Senate. Commonwealth government responsibilities include foreign affairs, social security, trade, immigration, currency and defence. Income tax and the collection of various levies are also a Commonwealth responsibility. Additionally, the Commonwealth government administers assistance programs such as Medicare and a range of programs administered by [Centrelink](#).

Further information: www.australia.gov.au, www.aph.gov.au

13.2 Intergovernmental Forums

13.2.1 Council of Australian Governments

The Council of Australian Governments (COAG) is the peak intergovernmental forum in Australia. It comprises the Prime Minister, State Premiers, Territory Chief Ministers and the President of the Australian Local Government Association. The Prime Minister chairs COAG. COAG does not have a constitutional status.

The role of COAG is to initiate, develop and monitor implementation of policy reforms that are of national significance and which require cooperative action by Australian governments. Recent areas of focus include Closing the Gap, health reform and counter-terrorism. COAG meets at least once per year. Communiqués are released at the end of each meeting which document the outcomes of COAG meetings.

COAG is supported by a Senior Officials' Group which includes the heads of the relevant Commonwealth, state and territory First Ministers' departments and the Chief Executive Officer of the Australian Local Government Association. It generally meets prior to each COAG meeting to discuss the agenda and arrangements for the meeting.

Further information: www.coag.gov.au

13.2.2 Ministerial Councils

There are nine COAG Councils. These Councils progress COAG priorities and referrals of work, along with other issues of national significance. In addition, the Councils develop policy reforms and other advice for COAG consideration, and oversee the delivery and review of reforms agreed by COAG. The COAG Councils are composed of the Ministers (of the Commonwealth and each state and territory) with relevant subject responsibility. Membership may also include the Australian Local Government Association and representatives from New Zealand, where appropriate.

In addition to COAG Councils, there are also Commonwealth-State Ministerial Councils. These facilitate consultation and cooperation between the Australian government and state and territory governments in specific policy areas, as well with the New Zealand government where appropriate. Specific policy areas include police and emergency management, consumer affairs, environment and primary industries. The councils initiate, develop and monitor policy reform jointly, and take joint action in the resolution of issues that arise between governments.

Further information: www.coag.gov.au

13.2.3 Council for the Australian Federation

The Council for the Australian Federation (CAF) was formed in October 2006 to support the federal system by providing an intergovernmental forum for state and territory leaders in Australia. Each state and territory Premier or Chief Minister is a member of CAF, creating a collective opportunity to pursue common interests and achieve joint success for the betterment of the Australian people.

The Council's objectives are to:

- work toward common understanding of the states' and territories' positions in relation to policy issues involving the Commonwealth government; and
- take a leadership role on key national policy issues, including the federation, that are not addressed by the Commonwealth government.

Further information: www.caf.gov.au

13.3 Local Government

Local government is established under the *Local Government Act 1989*. It has the functions and powers that the Parliament considers are necessary to ensure the peace, order and good government of each municipal district. The Victorian Constitution also recognises local councils as a tier of government. The decision-making body of local government is usually called the city council or shire council. The council is a democratically elected body that provides representation for a specific geographic area. Victoria currently has 79 councils.

Local government activities are diverse and extensive. They maintain significant infrastructure, provide a range of services and enforce various laws. Community infrastructure includes roads, bridges, drains, town halls, libraries, recreation facilities, parks and gardens. Services are also diverse. They include property, economic, human, recreational and cultural services. Councils also enforce state and local laws relating to such matters as land use planning, environment protection, public health, traffic, parking and animal management.

In order to finance their activities, councils are granted certain powers to raise funds, particularly through the levying of municipal rates. Councils also receive grant funding from the Commonwealth and state governments for municipal purposes.

Further information: www.localgovernment.vic.gov.au



14. The Not-for-Profit Sector

The not-for-profit (NFP) and community sector plays an important role in Victoria. The sector delivers services on behalf of government across a broad spectrum including aged care, children's services, environment, social services, legal, sport, education and the arts. The sector also provides an opportunity for community and civic participation. As well as organisations providing national or state-wide community services and social welfare, there are thousands of associations with a primarily local focus allowing volunteers to pursue different interests and forms of recreation.

The Victorian Government provides significant funding support to the NFP sector. Government funding of NFPs serves a range of purposes, including meeting specific policy objectives (such as strengthening local communities), funding the delivery of essential community and public services, and encouraging civic participation.

The purpose, level and proportion of government funding vary across organisations. Many organisations exist independently of any government assistance. Sometimes funding is used to purchase services to be delivered by an NFP organisation on behalf of the State, for example, aged care services. In other instances, organisations receive grants for a specific purpose, for example, to contribute towards the costs of a local festival or to upgrade the ICT (information and communication technology) facilities at a Neighbourhood House.

The nature of the funding relationship varies across government. Funding agreements are variously described as 'contracts', 'service agreements' or 'grants'. Responsibility for establishing accountability for public funds to NFPs through funding agreements rests with individual departments and agencies.

Further information: www.dhhs.vic.gov.au

15. Glossary

Act

A Bill that has been passed by Parliament, received Royal Assent, and become law.

Adjournment Debate

A debate held at the end of each sitting day in Parliament in which Members can raise a matter of government administration for a Minister's attention; so called because it takes place on the motion to adjourn the House for the day.

Appropriation Bill

Bill passed annually that provides the key mechanism through which Parliament controls the expenditure of public money.

Approval in Principle

Approval given by Cabinet before government bills are introduced to Parliament.

Bicameral

A Parliament that has two Houses (an Upper House and a Lower House).

Bill

A proposed law (or statute or piece of legislation) that is introduced into Parliament but has not yet been passed. If passed and granted Royal Assent, it becomes an Act.

Bill at Cabinet Submission

Bill prepared for Cabinet approval before being introduced to Cabinet.

Cabinet

Comprises the Premier and all government Ministers and is the means through which the Government makes decisions on policy, administration and its legislative program.

Cabinet Committee

A Cabinet Committee focuses on a particular area such as economic development, social development or the environment.

Cabinet Submission

A document prepared for Cabinet's consideration.

Council of Australian Governments

The Council of Australian Governments (COAG) is the peak inter-governmental forum in Australia. COAG comprises the Prime Minister, state Premiers, territory Chief Ministers and the president of the Australian Local Government Association. The role of COAG is to initiate, develop and monitor the implementation of policy reforms that are of national significance and which require cooperative action by Australian governments (for example, health reform).

Community Cabinet

Ministers meet with local community groups, organisations and individuals to discuss local issues.

Constitution

The law that defines the powers and responsibilities of the Parliament of Victoria.

Crown

The formal term for Her Majesty, used especially in the context of the Queen of Australia exercising her legal powers.



Department

The Governor in Council establishes departments by Order published in the Government Gazette.

Department liaison officer

The primary contact between a Minister's Private Office and the government department.

Executive

Those from within Government who define and implement policy, and who are answerable to Parliament for their administration.

Executive Council

The Executive Council consists of all Ministers.

General Order

The General Order allocates responsibility for administration of Acts of Parliament to Ministers.

Government

The party or group of parties (Coalition) that enjoys the support of the majority of Members of the Legislative Assembly.

Government Gazette

The Victoria Government Gazette provides official notification of decisions or actions taken by, or information from, the Governor of Victoria, government authorities, government departments, local councils, companies and individuals.



Governor of Victoria

The Crown's representative in Victoria. The Governor exercises power on the advice of the Premier.

Governor in Council

Refers to when the Governor is given advice in the presence of the Executive Council.

Hansard

The written record of parliamentary debates; also a work unit within the Department of Parliamentary Services that produces the written record.

Judiciary

A branch of government that has the authority to interpret and apply the law, adjudicate legal disputes and administer justice.

Legislative Assembly

The Lower House of the Parliament of Victoria. Legislative Council The Upper House of the Parliament of Victoria. Legislation Laws enacted by a Legislature or Parliament.

Legislative Assembly

The Lower House of the Parliament of Victoria.

Legislative Council

The Upper House of the Parliament of Victoria.

Legislation

Laws enacted by a Legislature or Parliament.

Machinery of government

The expression 'machinery of government' has long been used to refer to the allocation and reallocation of functions between departments and Ministers. In Victoria, machinery of government matters are the sole responsibility of the Premier.

Minister

A Member of the Government responsible for one or more government departments; he or she is also a member of Cabinet.

Outcomes

Outcomes refer to the government's desired or intended impacts or effects on the community

Outputs

Outputs are goods or services produced or delivered by, or on behalf of, a department or public entity.

Parliament

The Parliament of Victoria consists of the Queen, Legislative Assembly and Legislative Council. The term also refers to the two Houses.

Parliamentary committee

A parliamentary committee consists of a group of Members or Senators (or both in the case of joint committees) appointed by one or both Houses of Parliament. The main purpose of parliamentary committees is to conduct inquiries into specified matters and report the findings to Parliament.

Parliamentary Secretary

A Parliamentary Secretary is a Member of a Parliament in the Westminster system who assists a more senior Minister with their duties.

Portfolio

The specific policy responsibilities that a Minister oversees.

Premier

Head of Government and leader and elected leader of the party or parties with a majority in the Legislative Assembly.

Prorogue

The suspension of a parliamentary session.

Public Record

Public records include any records made or received by a person employed in a public office in the course of his or her duties, or by a court or person acting judicially in Victoria.

Public sector

The public sector comprises the public service, public entities and special bodies.

Public Service

Government organisations and the staff employed in them.

Public Service body

Defined under s. 4(1) of the Public Administration Act to mean a department, administrative office, or the Victorian Public Sector Commission.

Public Service body head

Head of a department, administrative office or the Victorian Public Sector Commissioner.

Responsible government

A political system in which the Government must be supported by a Parliament which is itself answerable to the community, usually through the election process.

Royal Assent

The last stage in the process by which a Bill becomes an Act; the Governor, representing the Queen, gives it formal approval.

Second reading speech

The stage in Parliament at which the underlying principles of a Bill are debated.

Select committee

A group of Members of Parliament that considers matters referred to it and reports its findings to Parliament.

Separation of powers

Refers to the three separate branches of government: the Parliament, executive and judiciary.

Special body

Those bodies prescribed under s. 6(1) of the Public Administration Act, and any body declared by the Governor in Council, under s. 6(2) of the Act, to be a special body for the purpose of the Act.

Specific purpose payment

Grants made by the Commonwealth to state and territory governments subject to terms and conditions laid down by the Commonwealth, generally with a view to ensuring that Commonwealth policy objectives (or national objectives agreed between the Commonwealth and the states) are met.

Standing committee

Standing committees operate throughout the life of a Parliament.

Question on notice

Written questions from Members of Parliament to a Minister that require a detailed written response.

Question without notice

Oral questions asked directly of the Premier or a Minister during Question Time.

Westminster System

The system of government that exists in the United Kingdom and which has been copied, to a greater or lesser extent, by many Commonwealth countries; so called because it is named after the precinct Westminster where the House of Commons and the House of Lords meet.



16. Acronyms used in Government

AIP Approval in Principle

BAC Bill at Cabinet

CAF Council for the Australian Federation

COAG Council of Australian Governments

CPSU Community and Public Sector Union

DLO Department Liaison Officer

EOA Equal Opportunity Act

ERC Expenditure Review Committee

FMA Financial Management Act

FOI Freedom of Information IPA Information Privacy Act NA National Agreement NFP Not-for-Profit

IPU Internal Purchasing Unit

NA National Agreement

NFP Not-for-Profit

OCPC Office of the Chief Parliamentary Counsel

OH&S Occupational Health and Safety

PAA Public Administration Act

PAEC Public Accounts and Estimates Committee

PPP Public Private Partnership

PPQ Possible Parliamentary Question

PROV Public Record Office Victoria

SPP Specific Purpose Payment



VCAT Victorian Civil and Administrative Tribunal

VEC Victorian Electoral Commission

VGPB Victorian Government Purchasing Board

VPS Victorian Public Service

VPSC Victorian Public Sector Commission



17. Further Reading

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17.3 Legislation

Audit Act 1994

Charter of Human Rights and Responsibilities Act 2006

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Electoral Act 2002

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Essential Services Act 1958

Financial Management Act 1994

Freedom of Information Act 1982

Local Government Act 1989

Occupational Health and Safety Act 2004

Ombudsman Act 1973

Parliamentary Committees Act 2003

Privacy and Data Protection Act 2014

Protected Disclosures Act 2012

Public Administration Act 2004

Public Records Act 1973

Public Sector Employment (Award Entitlements) Act 2006