



Report Title:	Draft papers and advice – Public Service Amendment Bill		
Report No:	MoSR 2025-0135		
Date:	19 February 2025		
To:	Hon Judith Collins KC, Minister for the Public Service		
Action Sought:	Provide feedback to allow us to prepare Cabinet papers for your approval	Due Date	As soon as possible
Contact Person:	Callum Butler, Manager, Policy		
Contact No:	9(2)(a) privacy		
Encl:	Yes – Two draft Cabinet papers	Priority:	High
Security Level:	IN CONFIDENCE		

Executive Summary

1. You have requested advice on amending the Public Service Act 2020 during this calendar year. This paper:
 - Provides advice on further changes discussed with you at our meeting on 10 February;
 - Outlines further suggestions from Public Service chief executives, and our advice on these suggestions; and
 - Attaches two draft Cabinet papers reflecting the changes you have indicated, for your feedback.

Recommended Action

We recommend that you:

- a **note** the draft Cabinet papers reflect decisions you have made proposing changes to:
 - Clarify the role of the Public Service;
 - Streamline chief executive responsibilities;
 - Improve tools to reduce silos;
 - Increase rigour of the chief executive appointment process; and
 - Improve chief executive and agency performance management.
- b **note** this paper seeks clarification on some of the proposed changes, where discussion with you was limited.
- c **note** that you invited chief executives to send suggestions for amendments to the Commissioner and that we have incorporated those suggestions into this briefing.

Area for clarification

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- d **note** that in line with your decisions, the relevant Cabinet paper has been drafted to propose changes to the Public Service Act 2020 (the Act) to:
- Remove the provision on bias in remuneration decisions;
 - Remove reference to pay equity in the good employer provisions;
 - Remove the provisions relating to diversity and inclusion;
 - Remove the provisions that provide for management of pay equity bargaining in sections 81-84 of the Act; and
 - Replace the requirement that every agency produce a long-term insights briefing with a single report prepared by central agencies to better manage costs.
- e **note** that one benefit of sections 81-84 of the Act is that they enable centralised oversight and management of costs and prevent chief executives from making individual decisions without considering the broader impact, and do not replicate other statutes.
- f **confirm** whether you would like to remove provisions relating to the management of pay equity bargaining.
- Yes/No.*

Suggestions from chief executives

- g **note** that we received further suggestions from twelve Public Service chief executives following your speech to the Public Service Leadership Team on 11 February, which were consistent with and supportive of your policy intent, and many were also consistent with the specific changes you are proposing (see Annex One).
- h **note** that other suggestions related to implementation aspects that can be addressed without legislative change, or related to other legislation (Public Finance Act 1989 and Crown Entities Act 2004) rather than the Public Service Act 2020 (see Annex One).

Public Service Values

- i **note** the Act sets out Public Service Values: *impartial, accountable, trustworthy, respectful, and responsive*, which only come into effect through standards set by Commissioner.
- j **note** that some chief executives explicitly supported keeping these values, one recommended removing them, and another suggested the values should be clarified.
- k **note** that while we think there is benefit in retaining the values in legislation, removing the values is consistent with your objective of reducing prescription in the Act, and the Commissioner could set the values under his powers.
- l **indicate** whether you wish to remove or keep the Public Service Values in the Act.
- Remove/Keep.*

Flexible organisational forms (departmental agencies, interdepartmental executive boards, interdepartmental ventures, and functional chief executives)

- m **note** that some chief executives suggested that the range of organisational options provided for by the Act should be more limited, and several options removed from the

Act.

- n **note** that these organisational forms can be established and disestablished by Order in Council.
- o **note** that we do not recommend removal from the Act as these are flexible tools that can be used by the Government as needed, and we have discussed with you how these forms can be better utilised (for example, to support better investments in digital technologies).

System leaders' powers

- p **note** that some chief executives would like the powers of system leaders strengthened, and others would like them weakened or removed.
- q **note** that you have previously indicated that existing system leaders' powers should be retained and better utilised, and provisions should be added to give influence over appointments to relevant roles (e.g. Chief Information Officers) in agencies (reflected in the Cabinet paper).
- r **confirm** that no further changes to the legislation regarding system leaders should be proposed.

Yes/No.

Review of appointments policies

- s **note** that some chief executives suggested that they should not be required to seek the Commissioner's agreement on their policies for allowing the review of appointments, or to remove the requirement for agencies to have a policy entirely.
- t **note** that the review of appointments is important for preserving merit-based selection.
- u **note** that we believe that the requirement to get approval from the Commissioner on agency policies for the review of appointments should be removed, but this change can be added to the draft Bill at a later date through a minor amendment.

Fixed-term appointments for PAG advisors

- v **note** that the secretary of the Department of the Prime Minister and Cabinet suggested that the Act be amended to allow Policy Advisory Group (PAG) advisors to be appointed to fixed-term contracts 9(2)(g)(i) free and frank
[REDACTED]
- w **note** that since 1988 successive governments have generally avoided creating separate employment arrangements for the Public Service, 9(2)(g)(i) free and frank
[REDACTED]
[REDACTED]
- x **note** that we do not recommend creating bespoke arrangements for fixed-term employment, but if you wish to pursue these, we would recommend a narrow provision for fixed-term appointments to recognise the particular role of PAG advisors.

Good employer obligations

- y **note** that some chief executives suggested that obligations on chief executives to be a 'good employer' be removed from the Act.

- z **note** that most of these are longstanding provisions, that further policy work would be required to understand the impact of removal (including Treaty of Waitangi and human rights implications), and that this would compromise our ability to meet your intended timelines.
- aa **note** that for this reason we recommend retaining longstanding provisions and limiting removals to those added by the Public Service Act 2020.

Immunity from civil prosecution for third-party providers

- bb **note** that one chief executive suggested that Public Service immunity from civil prosecution when acting in good-faith should be extended to all third-party providers, but that we consider this is more appropriately dealt with through contract and any statutory extension be considered on a case-by-case basis.
- cc **agree** that you would like no change to the immunity from prosecution clause in relation to third-party providers.

Agree/Disagree.

Providing greater flexibility on the number of Deputy Commissioners

- dd **note** that the Public Service Act 2020 increased the number of Deputy Commissioners from one to two, reflecting an increased workload at the time.
- ee **note** that the number of Statutory Officers allowed by the legislation (Commissioner/s and Deputy Commissioner/s) has varied over time between two and four.
- ff **agree** that the Government should have the flexibility to appoint either one or two Deputy Commissioners.

Agree/Disagree

Next steps

- gg **note** the Commission is undertaking further targeted consultation with departments on proposed amendments.
- hh **note** the Commission will provide you with an updated package of draft papers on 28 February for ministerial consultation.
- ii **provide** any feedback to officials to be incorporated into the draft papers ahead of 28 February.

Proactive release

- jj **agree** that Te Kawa Mataaho Public Service Commission release this briefing once decisions have been made by Cabinet

Agree/Disagree.

Hon Judith Collins KC

Minister for the Public Service

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Purpose of Report

2. To provide you with two draft Cabinet papers and further advice on proposed amendments to the Public Service Act 2020.

Timeframes

3. You have requested that the Public Service Amendment Bill has a priority 3 categorisation on the legislation programme 2025 – to be passed by the end of the year. To meet this deadline, ministerial consultation will need to be undertaken from 3 - 14 March 2025.
4. In our previous briefing, we indicated we would provide you with draft Cabinet papers on 28 February with additional advice as appropriate [2025-0085 refers]. We instead provide you with these drafts now, to offer you the opportunity to provide further comments to us, ahead of final drafts being circulated for ministerial consultation.

Context

5. The draft Cabinet papers (**both attached**) cover decisions that have been made by you over the last three weeks. Paper 1, titled 'Clarifying the role and responsibilities of the Public Service', proposes changes to:
 - Clarify the role of the Public Service; and
 - Streamline chief executive responsibilities.
6. Paper 2, titled 'Driving improvements in performance', proposes changes to:
 - Improve tools to reduce silos;
 - Increase rigour of the chief executive appointment process; and
 - Improve chief executive and agency performance management.
7. On 10 February, we had a more in-depth discussion with you about streamlining chief executive responsibilities. In particular, we sought your views on new responsibilities for chief executives that were added into the Public Service Act in 2020. We confirmed that you do not wish to propose any changes made to the provisions regarding the transfer of chief executives, Māori-Crown relationships, or the Public Service leadership team.
8. In addition, in your speech to the Public Service Leadership Team on 11 February you invited chief executives to send further suggestions to the Commissioner. Suggestions consistent with your proposals and not requiring further decisions are set out in Annex One. We have outlined additional suggestions that have not been covered in our advice to date, for your consideration.

Area for clarification: Pay Equity Bargaining

9. Based on your direction at our meeting on 10 February, we have drafted the Cabinet papers to remove the following provisions from the Act that relate to pay equity and freedom from bias in remuneration decisions:
 - a. Subsection 73(3)(i) - Employment policies must recognise "the importance of achieving pay equity between female and male employees".

- b. Subsection 73(3)(j) employment policies must recognise “the importance of remuneration decisions being free from bias”.
10. We understand this removal is proposed on the basis that these matters should not be prescribed in legislation, and are more appropriately addressed through Government workforce policy statements.
 11. The Act also contains a mechanism for managing pay equity bargaining in the Public Service whereby the Commissioner is responsible for all pay equity bargaining that is undertaken under the Equal Pay Act 2020. Under sections 81-84 the Commissioner may (and does) delegate responsibility for this to agency chief executives, subject to any conditions.
 12. The Cabinet paper as currently drafted would also remove these provisions from the Act. We did not have an opportunity to discuss sections 81-84 with you specifically at our 10 February meeting, and consider that there is some risk to removing these.
 13. These provisions ensure that there is oversight of pay equity bargaining, including visibility to Ministers. The provisions enable the Commissioner to decline to approve an agency’s pay equity bargaining strategy if he is not confident that the approach aligns with the Government’s policy or the need for good financial management.
 14. Removing the provisions could add cost and complexity onto agencies, as it would remove the option of the Commissioner centrally managing the bargaining if a claim covers a high number of agencies – as occurred for the Public Service Association’s Public Service administration and clerical claim.
 15. Removing the provisions could also alter the dynamics of pay equity bargaining now in progress. For example, the Public Service administration and clerical claim, currently stalled, could be revived with the union party aiming to restart the claim and ‘pick off’ departments individually. For the same reason, removal of the provisions from the Act could incentivise unions to raise more pay equity claims.
 16. These risks may be mitigated to some extent through Ministers issuing a Government Workforce Policy Statement under the Act, through the Commission’s issuing of guidance and expectations, and through existing mechanisms for ministerial oversight. These would not influence the behaviour of agencies as strongly as the current delegation model allows.
 17. It should also be noted that the Commissioner has an equivalent role in relation to the education sector. You may wish to consider removing this role for consistency, which would require consequential amendments to section 13ZZG of the Equal Pay Act 1972.
 18. You may wish to discuss the proposed removal of these provisions with the Minister of Finance, given ongoing work to implement the pay equity reset that this change will likely impact.

Diversity and Inclusion

19. You have indicated you would like to remove the provisions regarding diversity and inclusion as part of streamlining chief executive responsibilities. Similar to pay equity provisions discussed above, you consider that these matters are more appropriately addressed through workforce policy statements or Commissioner's guidance.

20. Section 75 of the Act currently requires chief executives to be guided by the principle that the group comprising all public servants should reflect the makeup of society, and foster a workplace that is inclusive of all groups through employment policies and practice. The Cabinet paper has been drafted to remove this provision.
21. Consistent with your policy direction above, we would also propose removing elements of subsection 44(c) from the Commissioner's general responsibilities. Subsection 44(c) reads, in part, "work with public service leaders to develop a ... workforce that reflects the diversity of the society it serves and to ensure fair and equitable employment..." Removing reference to diversity and fair and equitable employment would mirror the changes proposed to chief executive responsibilities.

Advice on implications and risks

22. The original policy intent behind the provisions was to increase trust in government among a wide range of groups, by promoting a Public Service that broadly mirrors society in its composition.
23. Though removal of the provision would not automatically alter agency employment policies, it would send a strong signal to agencies that would likely result in de-prioritisation of diversity and inclusion, and make agencies reluctant to progress work programmes focused on diversity and inclusion. Relatedly, agencies may make less deliberate effort to attract applications from certain groups including ethnic minorities.
24. Removal of the provisions will likely attract criticism from stakeholders including unions and other representative bodies. 9(2)(j) prejudice to negotiations, 9(2)(g)(i) free and frank
[REDACTED]
25. Similarly, removal of requirements relating to pay equity and freedom from bias in remuneration (discussed in the previous section) is likely to attract public criticism of a perceived lessening of the commitment to pay equity and fairness in employment. 9(2)(j) prejudice to negotiations, 9(2)(g)(i) free and frank
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Long-term insights briefings (LTIBs)

26. You have indicated that LTIBs have resulted in significant duplication of effort and therefore wasted expenditure by agencies. We have now received consistent feedback from chief executives that support this perspective. Chief executives believe that long-term thinking is important, but find the LTIBs prescriptive, and some question the value of every agency needing to complete a briefing. Long-term insights briefings are more suitable for some agencies than others, and some agencies lack policy functions or face confidentiality or security challenges in producing material in the public domain. Others suggested that agencies should be expected to complete long-term thinking without requiring legislation.

27. We consider that LTIBs are valuable because they require agencies to do long-term thinking and counter the tendency toward short-termism. The draft Cabinet paper proposes that this provision be amended to require the Commissioner, the Secretary of the Treasury, the Secretary for the Department of the Prime Minister and Cabinet (DPMC), and other chief executives nominated by the Commissioner, to prepare a consolidated report on the risks and opportunities relating to the context in which the Public Service operates. This is consistent with our previous discussions with you, and chief executive feedback.

Advice on implications and risks

28. Reducing the number of briefings is not without risk:
- Central agencies do not have specialised knowledge of all areas of the Public Service, and this may reduce the completeness of a centralised briefing versus individual agency briefings. This can be mitigated by allowing the Commissioner to request information and analysis from other agencies.
 - Most agencies will no longer be required to undertake long-term thinking. This can be mitigated by DPMC continuing to promote long-term thinking as part of their policy quality guidance.
 - Reducing the number of briefings is likely to attract public criticism if it is perceived to diminish the ability of the Public Service to anticipate and plan for the future.

Other suggestions by chief executives

29. We received feedback from twelve chief executives. A summary of this feedback is included at Annex One. The feedback broadly fits into three themes:
- Suggestions that we consider to be aligned with your objectives, existing policy recommendations, and specific decisions sought in the Cabinet papers;
 - Suggestions that relate to other legislation or Public Service practice.
 - Suggestions that differ from your existing programme of changes, explored below.
30. On consideration of this feedback, we recommend no change to your intended programme of amendments.

Public Service Values

31. The Public Service Act 2020 introduced five 'Public Service Values' (s 16): *impartial, accountable, trustworthy, respectful, and responsive*. Some chief executives expressed support for these values, though there were also suggestions that they should be removed or clarified due to overlap with the principles.
32. The intent was that values would be more enduring if in legislation. Given that there is more support from chief executives for the values than opposition, and no compelling reason offered for why they should change, we do not recommend any change to this provision.
33. We note that removing the values would be consistent with your overall intent to remove prescription in the Act, and so we can amend the Cabinet paper to remove

the provision if desired. This would not affect the Commissioner's ability to set standards of integrity and conduct.

Flexible organisational forms

34. The Act features organisational forms and roles in addition to the traditional department: departmental agencies (ss 23-24), interdepartmental executive boards (ss 25-31), interdepartmental ventures (ss 32-37), functional chief executives (s 53), and system leaders (discussed further below). These were largely developed during the 'Better Public Services' reforms, with some formalised in the State Sector Amendment Act 2013, and others implemented through Cabinet decisions in 2013 and subsequently formalised in the Public Service Act 2020. Each of these forms are established or disestablished by Order in Council.
35. Some chief executives commented that these forms are too complicated, and have suggested that they be removed from the Act. We believe that removing these options from the Act unnecessarily restricts the flexibility of the Government. If the Government does not want any specific organisational form or role created under the Act, they can disestablish it by Order in Council. Even for organisational forms that have never been used, continuing to have them as an option preserves flexibility for the Government to use them in future if needed. More detailed criticisms from chief executives related to the application of financial authorisation and reporting requirements under the Public Finance Act 1989, and any review of organisational forms could be done as part of a broader review of that Act.

System leaders

36. System leaders (s 56) are existing chief executives given responsible to lead or co-ordinate a particular subject matter area (usually a back-office function like digital, property management, or procurement). They can set standards with the agreement of the appropriate Minister (s 57).
37. Some chief executives believed that the ability to establish system leaders should be removed from the Act, or should have their powers restricted. We do not consider eliminating or weakening system leaders to be consistent with your policy intent, for example, coordination of digital technology investments. We do not support this recommendation.
38. Other chief executives suggested that the powers of system leaders should be increased, to allow a system leader to direct agencies without requiring ministerial approval. Direction setting power cuts across portfolios and is a matter that inherently involves collective ministerial or Cabinet agreement. We do not support the recommendation that system leaders be given unilateral direction setting power.
39. Another chief executive suggested that the language of the current standard setting provision should be clarified to ensure that it can be used to ban certain products. The standard setting provisions already allow for leads to issue an indirect ban by specifying criteria that products or vendors must meet in order for the Public Service to use them, and providing guidance on application to specific products. Allowing for a particular named product or vendor to be banned would require a much more specific power, and would require specification of criteria and process in the

legislation that would likely need to be tailored to the context of individual system leads.

40. If leads are to be given powers to ban products or vendors, we recommend that this would more appropriately be dealt with in legislation relating to their specific subject matter area (e.g. in legislation relating to national security). We do not recommend that such powers be included in the Public Service Act. If you do wish for such a power to be included, further work will be required to define the direction power and relevant considerations for its use. This work would likely be complex and affect the timeline.

Review of appointments

41. All appointments in the Public Service (except appointments of ministerial staff) are provisional pending the outcome of a requested review (s 71). Each department must put into place a procedure for reviewing appointments, and this procedure must be approved by the Commissioner (sch 8 s 7).
42. One chief executive suggested removing these provisions entirely. We do not support this, and note that the option to request a review is an important element of merit-based appointments. One chief executive commented that the requirement to get the Commissioner's approval for their policy places an unnecessary burden on them. We agree and believe that the legislation can be streamlined. This can be pursued through minor technical amendments and do not require specific inclusion in a Cabinet paper.

Fixed-term appointments

43. The Secretary for DPMC suggested amending the Act to allow Policy Advisory Group (PAG) advisors to be made fixed-term. This 9(2)(g)(i) free and frank [REDACTED] [REDACTED] would allow the flexible rotation of talent from within and outside the Public Service.
44. There are several non-legislative options that can achieve this intent, including seconding PAG advisors from other departments for fixed periods. Secondments from the private sector are used infrequently but have been used in the past.
[REDACTED] 9(2)(g)(i) free and frank [REDACTED] [REDACTED] [REDACTED]
46. Since 1988, New Zealand has generally aimed to make public servants subject to the same employment law as private employees, and has tried to avoid creating a parallel employment system as seen in some other countries. Given all the options available, we do not believe that further changes to the Public Service Act 2020 are required to achieve the desired intent, and do not recommend any change.
47. It is possible that DPMC raises their concern through consultation. If you would like to pursue bespoke arrangements for fixed-term employment, we would recommend this be limited to PAG advisors only.

Good employer

48. The State Sector Act 1988 introduced requirements that chief executives must operate policies that align with the principle of being a 'good employer', including recognition of the aims, aspirations, and employment requirements of different groups. Some chief executives have suggested that the entirety of this section be removed, to bring Public Service employment law in line with general employment law. Other chief executives recommended that these provisions be retained.
49. These provisions were introduced in the State Sector Act 1988 and retained in the Public Service Act 2020. We have not conducted detailed analysis on the possible consequences of removing these provisions, but expect that there may be Treaty and human rights implications. Providing analysis of this option would impede our ability to meet your intended timelines. For this reason, we recommend retaining these provisions, and limiting removals to those added by the Public Service Act 2020 (discussed above).

Immunity of contractors

50. Public servants are immune for liability for civil proceedings for good-faith actions or omissions when performing their functions. One chief executive suggested that this should be extended to third-party providers under contract with departments.
51. Immunity for public servants is a longstanding provision carried over from the State Sector Act 1988. At various times the Commission has been asked to consider whether this should be extended to other providers. In each case, the Commission has recommended that this be determined on a case-by-case basis and included within contracts as necessary, preserving flexibility for the Government. We recommend no change to the Act.

Deputy Commissioners

52. The Public Service Act 2020 increased the number of Deputy Commissioners from one to two. The Deputy Commissioners are appointed by the Prime Minister through the same process as the appointment of the Commissioner, and perform any of the functions, powers, and duties of the Commissioner. The number of Commissioners and Deputy Commissioners has varied over time, from two to four.
53. The number of Deputy Commissioners was increased in the Public Service Act 2020 to reflect a view that the scope of the Commissioner's role had expanded.
54. You may wish to consider amending the Act to give the Government the power to appoint either one or two Deputy Commissioners. This would provide additional flexibility while not limiting or removing any existing options. The Government could then appoint Deputy Commissioners based on the Government's policy programme at the time (and the consequent demands on the Commissioner's time).

Next Steps

55. As indicated in our previous report, the Commission will incorporate any feedback you may have and on 28 February, we will provide you with updated draft Cabinet papers and a draft Regulatory Impact Statement.
56. To meet the timeframes you have indicated, subject to your agreement, this will ensure ministerial consultation can start the following Monday 3 March.

Annex One: Suggestions from chief executives

Feedback that we consider to be aligned with your objectives and specific decisions sought in the Cabinet papers

Clarifying the role of the Public Service

- Comments that the principles should be retained and/or clarified as there is some overlap. Some encouragement to retain:
 - Stewardship.
 - Free and frank advice.
 - The role of the Public Service to implement government priorities.
 - The focus on high-quality and efficient service delivery.
 - Quality financial management and decision-making.
- Suggestions made that the definition of spirit of service to the community should be reviewed, removed, or better defined, including:
 - One suggestion that all terms should be defined legally as vague definitions could generate risk.
 - One suggestion that there could be merit in making the intent of spirit of service clearer by using 'customer language', to be clearer of its focus on serving New Zealanders.
 - One suggestion that the Act could be clearer on who the public serves, with more reference to current and future generations of New Zealanders.
- Some comments that align with the general theme of sharpening focus on core responsibilities:
 - One comment that the overriding objectives could be for simplification, system clarity, and ensuring benefits outweigh costs.
 - Some comments that the Act does not sufficiently encourage innovation and accountability frameworks discourage experimentation.

Streamlining and clarifying chief executive responsibilities

- Feedback that accountability arrangements for chief executives are complex.
- Suggestions that responsibilities could be reviewed, clarified or removed:
 - One suggestion that provisions with a particular focus on pay equity may be better addressed through the performance agreements with chief executives and can reflect the priorities of the Government of the day.
 - Regarding chief executives' employer responsibilities, suggestions made that general employment law should apply, with any additional responsibilities as needed for the public sector context (ss 12, 14 and 16 should be retained).
 - Two suggestions that promotion of diversity and inclusion responsibilities be reviewed/clarified.
 - One suggestion that the Act has overlapping requirements that makes obligations of the chief executive unclear.
 - One suggestion that chief executives' role as leaders of the system could be recast to have a sharper focus on joined up service delivery, performance and infrastructure investment.

Feedback relative to other legislation or Public Service practice	PSC comment
<p>Crown Entities Act 2004</p> <ul style="list-style-type: none"> Two suggestions were made to provide a clearer role for Crown Entity monitory agencies. One suggestion that the scope and extent of the Commissioner's powers beyond Public Service agencies be reviewed as a lever to improve oversight and transparency. 	<p><i>Outside the scope of this legislation. More relevant to the Crown Entities Act 2004.</i></p>
<p>Public Finance Act 1989</p> <ul style="list-style-type: none"> Few suggestions to amend/review the Public Finance Act 1989 including: <ul style="list-style-type: none"> to help agencies achieve objectives and remove bureaucratic clutter; to reduce burden of club funding arrangements and cost of system-wide initiatives; and to help remove barriers to making the system work better, such as the inability to create appropriations for cross agency work and assigning accountability. Feedback received that current funding arrangements and appropriation structures constrain ability to innovate and are overly complicated. One suggestion to include principles for prudent financial management in the Act. 	<p><i>Outside the scope of this legislation. More relevant to the Public Finance Act 1989 or non-legislative practice advised or guided by the Treasury.</i></p>
<p>Officials Committee for Domestic and External Security Coordination (ODESC)</p> <ul style="list-style-type: none"> One suggestion to reference ODESC within the Public Service Act 2020. 	<p><i>Outside scope of this Act. More relevant to emergency management legislation.</i></p>
<p>Interoperability</p> <ul style="list-style-type: none"> One comment that data should be treated as a Crown asset, not owned by individual agencies. Multiple suggestions for stronger central guidance and/or centralised approaches around common tools, expertise, messaging, frameworks, and systems. One comment that more could be done to reduce duplication of roles and functions, particularly between policy and operational agencies in the same sector. Three suggestions that employment portability/transfer of staff between agencies could be better supported and enabled. 	<p><i>Some of the proposed amendments will support better interoperability on cross-system issues.</i></p> <p><i>Other comments and changes suggested could be addressed through non-legislative means.</i></p>
<p>Other matters relating to practice (non-legislative)</p> <ul style="list-style-type: none"> Some support for better performance expectations setting, and reporting and integrity mechanisms. Suggestions to reduce reliance on Ministers and Cabinet to approve engagement and communications plans to speed up policy development processes. One suggestion for closer alignment between the statutory role, performance expectations and core business of chief 	<p><i>More relevant to non-legislative practice. Comments and changes suggested could be addressed through non-legislative means.</i></p>

<p>executives.</p> <ul style="list-style-type: none"> • Few comments on the volume of reporting requirements that use time and resource, with support for streamlining these processes and requirements. • One comment that prescriptive requirements around workforce planning, reporting and consultation have slowed down actions that require urgency. • One suggestion that serving multiple portfolios is a driver of inefficiency. • One comment that there has been a proliferation of small agencies and chief executives in a small system, and suggestions for fewer, larger agencies each with a single Minister. 	
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