

Jenkins Review Implementation Team
Department of Prime Minister and Cabinet

8 July 2022

To whom it may concern

Please accept this as a submission to the MOP(S) Review on behalf of staff within the Office of Senator David Pocock, Independent Senator for the ACT.

My name is Fiona Scott, currently acting as the Chief of Staff in the Senator's Office, while personal staffing arrangements are being settled with the Australian Government and electorate staffing is finalised.

I note that the Review has been tasked with identifying legislative, policy or other changes to, among other things, support a professional, high-performing, safe and respectful workplace for all parliamentarians and their staff.


I note further that the Review has been asked to consider the responsibilities, expectations and accountability of MOP(S) Act employees in determining the above.

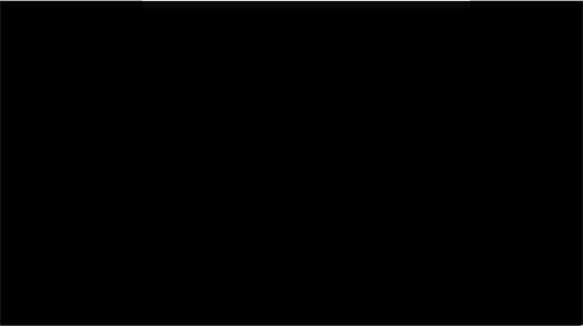
In this submission, I would like to raise a number of interrelated issues that I fear will impact the ability of Senator Pocock's staff to remain safe, well and highly performing over this term of parliament. These are:

1. The continued under-resourcing of parliamentary offices, impacting on the health and wellbeing of staff.
2. The under-recognition of the workload of Independent members and Senators and their staff.
3. The political nature of personal staffing arrangements.

As a long-term political staffer, with experience working in the offices of Senators and ministers over the past decade, I can attest firsthand to the workload levied on MOP(S) Act employees, more colloquially known as "staffers".

To speak directly to a typical non-ministerial Senate office, staffers are expected to:

- Keep abreast of emerging national policy issues, often applying an electorate-specific lens to best advise their Senator on how the relevance of these issues to the Senator's constituents and how best to respond.
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- Conducting fast-paced research for their Senator, often on issues that have arisen with the news cycle or as the result of engagements with the community or other stakeholders.
 - Manage the diary of their Senator, engaging with stakeholders and constituents across the country everyday, every hour, to schedule events months in advance.
 - Arrange travel for their Senator and other advisors to attend key engagements in the community, interstate and overseas.
 - Engage with stakeholders and prepare briefing notes for their Senator on the outcome of the engagements.
 - Prepare speeches for members and Senators, for use within the Senate, at community events and national conferences.
 - Liaise with parliamentary departments and other Senate offices on the drafting of committee reports.
 - Prepare media releases, newsletters, talking points, social media posts, opinion editorials, scripts and other communications materials for their Senator.
 - Attend events and other engagements with their Senator.
 - Manage office budgets on behalf of the Senator.
 - Manage relationships on behalf of their Senator; engaging with other offices to manage issues and negotiate the passage of legislation.
 - Support the committee work of their Senator, preparing briefing packs, drafting lines of questioning and in providing feedback to committee secretariats on the drafting of final reports.
 - Liaise with the media, working to schedule interviews, develop and provide background information and invest significant time in maintaining productive relationships for the benefit of their Senator.
 - Mentor other members of staff and support the culture of the broader office.
 - Be available to their Senator 24/7 to provide trusted advice and logistical support.

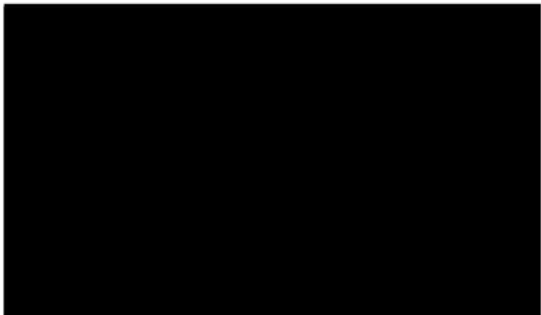
In the office of an independent member or Senator, more is done with less.

Major parties have access to centralised party political resources, including a caucus liaison unit, as well as a broader pool of staff working in specific policy areas to develop policy positions, legislation and communicate with stakeholders.

Having worked across all levels of government from the Prime Minister to Ministers to Shadow Ministers and backbenchers I understand in detail the contribution Senators and Members, and their staff, can make to the parliament.

I do note that there is a distinct difference between the level of legislative scrutiny that is required from a backbench Senator and a crossbench Senator.





The Government also has access to the Australian Public Service; a team of over 100,000 people to advise them on issues and who can also undertake meetings with stakeholders, liaise with the media and draft collateral and other material.

Independents have just their community, volunteers and whatever staff they are arbitrarily allocated to advise them on how to vote on every piece of legislation, spanning every policy area from taxation to the governance of external territories. While I know Senator Pocock recognises that it is an immense privilege to have this opportunity, and to do so while representing the ACT, it is a large undertaking for staff to maintain policy expertise across every portfolio, while staying abreast of issues and reading and advising on legislation, in addition to other duties.

Meanwhile, in the Electorate Office, officers are expected to keep abreast of significant case work and be the interface between the community and their Senator. The workload involved in community casework cannot be underestimated.


This involves significant time for officers in speaking with the community over the phone, in-person and over email to raise issues of national policy and direct enquiries to local governments, state or territory governments, the Australian Government or other social service systems.


In the immigration space alone, officers have to contend with dozens of enquiries each week from constituents struggling to access visas for family members. They therefore have to invest time in understanding Australia's complicated visa system, building a referral pathway, drafting letters and managing correspondence directly with their Senator. Additional time is spent in following with departments and ministerial offices to obtain a response for the constituent.

This work is often emotionally-charged and involves significant coordinating time. It leaves little time for electorate staff to coordinate community events to collect the views of constituents and ensure their voices are heard in the Australian Parliament.

In my experience, the workload has only increased over time. However, over any recent parliamentary term, it is true to say that the workload is such that it cannot be adequately maintained by staff working standard business hours. Personal and electorate staff alike work incredibly long hours to best serve their Senator's constituents, with the average work day running closer to 12 hours than eight, often longer for staff with media and chief of staff duties. Without at least two staff to share such duties, staff are unable to take time off or operate any sort of relief roster to get through long sitting days, weekend duties, etc.

I note the fantastic work for the Jenkins Review, which has already driven some important changes and offer our deep thanks for this important work. The review justly found that the high stress levels and the long irregular hours (among other drivers) contribute to an





environment where people's physical and mental health suffers. I contend that there is not a service in the Australian Parliament or elsewhere that can mitigate these risks, as there is not a service that can reduce the workload of offices that are already overworked.

While I note the government's commitment to better fund the Parliamentary Library to support independent Members and Senators, I contend this will not improve conditions in these offices in the face of the recently announced cuts to personal staff for independents.

The Parliamentary Library is an excellent resource, and it is welcome to see the Library receive greater funding in this term, it is incorrect to assume they can take the place of a small dedicated team of personal staff.

Historically, it is true that electorate officers have supported a Senator's parliamentary duties, this always comes at the expense of casework and in having resources available to engage with the community and ensure their views are heard by Senators. Far from solving the problem, it also exacerbates workloads for those electorate officers in taking on additional duties in the parliamentary office.


This impacts the level of service our communities enjoy, and is something that disproportionately affects residents in the ACT in particular. Even though the ACT's population is approaching that of Tasmania, as a Territory we only have two Senators representing us, unlike the 12 allocated to the states. So while collectively the population of Tasmania is represented by 17 parliamentarians supported by 60 electorate officers between them, the people of the ACT are represented by only 5 with 20 electorate staff between them. This obviously creates a much greater burden on electorate staff in the ACT.

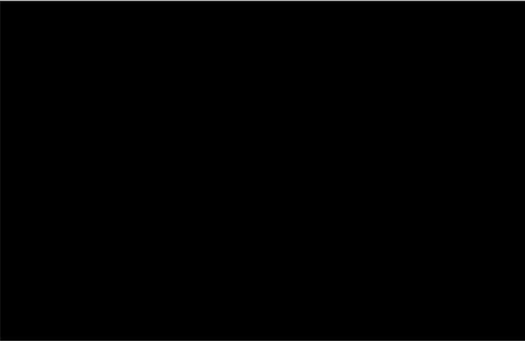
Electorate officers are a part of the communities they serve and are expected by the community to be available to escalate issues, direct people to services and be a conduit to their Senator, and therefore, the Australian Parliament. It is a tough job, and I fear that their role has gone under recognised for the service they provide to the community.

I note also that generally the demands on Electorate Officers have increased as a result of the pandemic, whether that be increased volume of assistance required with dealing with Centrelink, visa and passport issues or accessing healthcare.

While it's early days, I fear for the wellbeing of my staff in Senator Pocock's Office in view of the cuts proposed by the Prime Minister to his personal staffing allocation. At the same time, ACT Senators must represent the people of Jervis Bay and Norfolk Island; geographically separate areas with specific, and highly differentiated issues that require specialised attention.

With Senator Pocock now being expected to run a parliamentary office with the aid of a single advisor, and an already stretched electorate office, the problem is going to get worse.





Many of us have young families and caring responsibilities, and while juggling personal and professional responsibilities is part and parcel of life, for the reasons above, it can be almost impossible to achieve anything resembling a balance.

Across my career in Parliament, I have often seen parents of young families decide to leave the Parliament, and often their “dream job”, out of sheer exhaustion, stress-induced mental health problems or to simply spend time with children. While achieving a work-life balance is not unique to staffers, it is particularly difficult. In many cases, we are precluding a significant part of the workforce from contributing to this institution - a part of the workforce we need represented in the advice given to lawmakers.

This is just one example of a person that I have noted can struggle to achieve a work-life balance under current arrangements. People with disabilities, or people with caring responsibilities for elderly parents or who may live with anxiety would equally struggle to currently maintain a position as a staffer, and therefore would likely be precluded from ever participating in one of these roles.


As I've already mentioned, in the past fortnight, the Prime Minister has proposed a cut to the personal staff of non-party members and Senators - from four staff to just one.

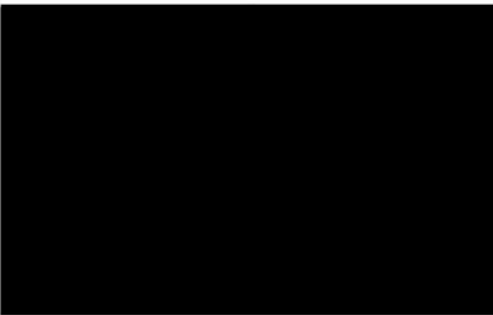
I contend that the Government's decision does not properly consider the workload that exists for independent members and Senators. In making the decision, there appears to have been no:

- Regard for the fact that independent members and Senators are required to form a view on all legislation, without the same resources available to major parties, such as a frontbench of ministers and shadow ministers, the APS, party political resources and a large complement of staff, where economies of scale can be achieved.
- Assessment of the workload, or hours worked, by staff within the offices of independent Senators and members in the previous parliament.
- Regard for how this decision may impact the safety and wellbeing of staffers within this current term of parliament.

It also reveals the root of the issue, that the MOP(S) Act allows for personal staffing to be set directly and exclusively and arbitrarily by the Prime Minister, without the expert and informed advice from any independent source.

Without any check or balance, the Prime Minister is able to exercise a judgement on the staff each member and Senator needs, without regard for the reality of the workload of each of those members and Senators.





In the public and private sectors, managers have regard to the capacity of their staff, forecasting workloads and real hours spent working on projects and in discharging their duties and responsibilities. Neither the Prime Minister, nor any department or agency, has undertaken that work to ensure the level of staffing is commensurate with the responsibilities given to staff within the offices of members and Senators - and particularly independent members and Senators.

While I recognise that roles and responsibilities will be different across offices, there are core functions needed in every office that can be accounted for.

As Chief of Staff within Senator Pocock's Office, I can say with certainty that with just one personal staff member, we will be understaffed, and it will be a daily challenge to support the health and mental health of my staff as they take on an increased and sizeable workload. Having just one staff member will further exacerbate the gender bias, making it more difficult for women, such as myself, who carry the burden of caring responsibilities, to fulfil senior staffing roles.

The Act, as it stands, allows for the Prime Minister to make a political decision. While I cannot say, or even speculate, as to how the Prime Minister arrived at this decision, there is nothing preventing him from making it in the interests of his own party and undermining the ability of independent members and Senators from applying proper and informed scrutiny to his government's legislative agenda. Ultimately, it is detrimental to creating a safe, high-performing and respectful workplace.


I further note that the complement of staffers on the government's side has increased consistently year-on-year, at least for the past 15 years.

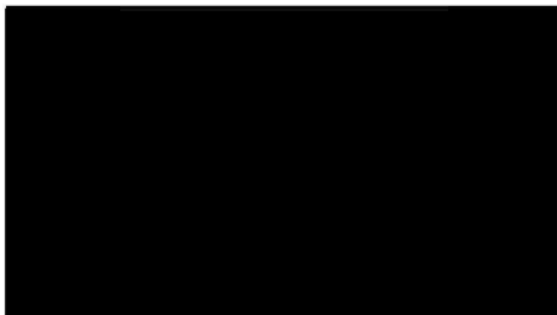
The allocation of at least two personal staff to crossbench Senators in recognition of the larger workload in the Senate has been consistent practice since at least 2010. During that period, Government staffing allocation has climbed from 368 to 481.

I observe that these increases have happened regardless of election outcomes and whether the government has increased its representation in successive parliaments. This must be because the work of successive parliaments is not dependent on party representation, but on the legislative agenda presented to each parliament and the staff needed to ensure the smooth workings of the parliament.

While I do note the Government has said it will reduce its staffing bill by \$1.5 million per year, there is no indication that this will reduce the overall headcount, and therefore the resources available to the Government in the Parliament.

This is all to say that staffing levels appear arbitrary. Without any examination into workloads or the resources needed by each member and Senator, it seems we are made to take it on





face value that the number given is the number needed. We need a better way to ensure members and Senators not only have appropriate resources, but that staffing arrangements take into account the very real need for people to maintain their health and be safe at work.

This needs to apply uniformly, and decisions need to be made transparently and with regard to the safety of staffers. Therefore, I urge the MOP(S) Review to consider the need for a transparent, arms-length process for the setting of personal staffing numbers for members and Senators, and particularly independent members and Senators.

While the Prime Minister could remain the final decision-maker, it should be made on advice from experts looking at the resourcing needs of members and Senators, which also takes into account the need to keep people safe and healthy.

I would suggest that there needs to be an independent examination into the workloads of staffers to inform this work.

We cannot hope to obtain many of the ambitions set down in the Jenkins Review if we do not look at and rectify this issue.

Sincerely,



Fiona Scott

Chief of Staff to Senator David Pocock

