

TRANSCRIPT OF PODCAST

WORK WITH PURPOSE

EPISODE #81

REBUILDING TRUST AND INTEGRITY AFTER ROBODEBT

Kathy Leigh (guest)

Director-General and Head of Service
Chief Minister, Treasury and Economic Development
ACT Government

Dr Gordon de Brouwer PSM FIPAA (guest)

Secretary
Public Sector Reform

Hosted by DAVID PEMBROKE, Founder and Chief Executive Officer and founder, contentgroup

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Enquiries should be directed to Caroline Walsh on 0413 139 427 or at caroline.walsh@act.ipaa.org.au

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DAVID PEMBROKE:

Hello and welcome to Work with Purpose, a podcast about the Australian Public Service. My name's David Pembroke. Thanks for joining me.

As we begin today's podcast, I'd like to acknowledge the traditional custodians of the land on which we are meeting today, the Ngunnawal people, and pay my respects to Elders past, present, and emerging, and acknowledge the ongoing contribution they make to the life of our city and this region. I'd also like to acknowledge the custodians of all the lands from where anybody listening to this podcast is joining us today.

The Royal Commission into robodebt, a program implemented by the former coalition government that aggressively pursued tens of thousands of Australians for debts they did not owe, has rocked the Australian Public Service. The evidence heard at the Royal Commission exposed systemic failures in giving advice, acting with integrity, and taking responsibility. The Minister for Government Services, Bill Shorten, has called robodebt, quote, "A shameful chapter in the history of public administration," and, quote, "A massive failure of policy and law."

Well, today, Work with Purpose begins a conversation to discuss how the Australian Public Service can reflect on what has happened, how it went so wrong, but also to look at some of the remedies and also to the future. Gordon de Brouwer is Secretary for Public Sector Reform, a two-year appointment by the Prime Minister to lead and implement public sector reform, working closely with the Public Service Commissioner and reporting to the Minister for the Public Service. Before starting his current position on the 1st of July 2022, Gordon was a professor at the ANU, and IPAA's National President from 2019 to 2022. Gordon, welcome to you.

GORDON DE BROUWER:

Thanks very much, David.

DAVID PEMBROKE:

Kathy Leigh is another highly experienced Australian public servant who is currently Head of the ACT Public Service and Director General of the ACT Chief Minister's Treasury and Economic Development Directorate. In this role, she provides high level strategic advice to the ACT Chief Minister and Cabinet and chairs the Strategic Board of Directors General. Kathy was previously Director General of the ACT'S Justice and Community Safety Directorate from October 2009, and she's a member of IPAA, ACT's board. Kathy, welcome to you.

KATHY LEIGH:

Thanks, David.

DAVID PEMBROKE:

Gordon, Work with Purpose is a podcast that has long celebrated the achievements of the Australian Public Service and its people.

As a longstanding, respected, and current senior leader in the APS, what are your reflections on the Robodebt Royal Commission?

GORDON DE BROUWER:

Thanks very much, David. I'm talking here today as the secretary for public sector reform. I was asked by the government to lead work on reform, and the robodebt and other inquiries have raised a number of issues about how the sector works with government and with the public. The Royal Commission's still underway and we're waiting for its final report, but there are a couple of things that do come out from the hearings so far.

I think when I'm talking here, there are really three audiences actually that are listening. I'm sorry to do the preamble on this, but the first is the people who are directly affected by the policy and the public in general. The second are the public service, and then thirdly the public servants who are directly involved and their colleagues. So, the three audiences are all listening to what we're talking about, and I think my reflection, as we talk about the issues that we do so with a focus on integrity, but also on empathy with what happened.

I think especially in thinking around the general public and the people who are directly affected by the policy, I'm personally deeply sorry for what the public service did to them. I think what we're really looking for here is that once the findings and recommendations are out and when we know what the judgments are, what the call is, that the public service can take responsibility for what it did, that we seek the learnings and we make the changes, in a sense we look to the future.

I think what we can see is that to some degree, the service, parts of the service at times have lost its soul, lost its focus on people, its empathy for people. We'll need to reflect on how we discharged our legal and ethical responsibilities under law, including in our leadership, and we'll need to examine and act to strengthen our systems, including training and performance management across the service, to ensure that what we've seen so far isn't repeated.

DAVID PEMBROKE:

In your work leading the APS reform, two of the priorities are about integrity in the APS and they are about putting the Australian people at the centre of the work of the APS. Is it just a coincidence that the reform lines up with some of the issues that have come about as a result of the Royal Commission?

GORDON DE BROUWER:

I think the reform priorities of the government weren't dictated by the reflections and the experience of robodebt. And again, we're still awaiting the findings, but what robodebt has captured are things that people can see across the service in general. It comes

down to the nature of how do you provide advice, how much do you have to deliver, as opposed to thinking about ethical issues, those sorts of elements. The Robodebt proceedings so far have highlighted issues that are around in the public service that we know about, and they reinforce the need for reform.

DAVID PEMBROKE:

So, could you go as far as to say that in terms of integrity, that there is a systemic issue in the Australian Public Service?

GORDON DE BROUWER:

The government, in terms of defining its priorities, started with integrity and a lot of that conversation started around, how do we adjust and think around having a national anti-corruption authority? How are the behaviours of the service? How do we really have good behaviour? I think we've had a number of reviews and assessments of integrity over time, and we've got another report that came out over the weekend around procurement. So, we know there's an issue that occurs in different parts.

I'm quite reluctant to say it's an intrinsic problem because a lot of public servants act with integrity and a lot of people take that really seriously. I mean, so, it's an existential thing, and I think the things that define a public servant, that differentiate them, are often that they're deeply driven by public value and public purpose, and they do that with integrity.

DAVID PEMBROKE:

So, Kathy Leigh, for you, I ask you the same question really in terms of your reflections on the Robodebt Royal Commission as a senior leader in the Australian Public Service.

KATHY LEIGH:

Well, just picking up on what Gordon said, I think we can be very proud of our ACT Public Service. There is a deep sense of service to the community there, but we can never rest on our laurels, and I think we've got an ongoing responsibility to constantly ensure that there is a deep understanding across the public service of the proper role as public servants.

DAVID PEMBROKE:

How difficult is it to act with courage and to act with integrity and to be consistent in that behaviour, in the environments that public servants find themselves sometimes?

KATHY LEIGH:

I think you need to start by framing it in terms of our role, and we have a key role in representative democracy. And so, if you start there, your role is to support the government of the day, the government that the community have chosen. But you need to do that impartially because the community and the government needs to trust that you will equally support whichever government the community elects. And you need to be able to give objective advice.

You need to be able to point out to ministers not just the upsides of the things they'd like to do, but also the downsides and the risks.

And of course, when you do that, you don't just point out the downsides. You talk about alternative ways of achieving their objectives, ways that you can mitigate the downsides. People might think it sounds, you know, courageous to say to a minister, "There's a downside to what you want to do," but I think most ministers, when they see that you're genuinely trying to identify alternatives and assist them to achieve their objectives, they appreciate that you're doing that, so that you give them an opportunity upfront to get it right, rather than it exploding later. So, I think it is, to me, it is a sort of 101 public service that we should all have a clear framework that enables us to do that.

DAVID PEMBROKE:

And so, in your experience, Gordon, obviously, you've been in these types of positions giving advice perhaps that is uncomfortable, contrary. What is your advice to people as to how they can best manage that particular challenge as part of their jobs?

GORDON DE BROUWER:

I think as Kathy said, it's a key part. It's a feature of the job. It's a defining task. And I think frankly, most people do it. There are different ways to do it. There are different ways of saying no or providing alternatives, and often it's constructive, as Kathy said. I was very struck when I was first appointed as secretary and Prime Minister Abbott called the secretaries together and said, "I want you to give me your full and frank advice because frankly, you're useless to me if you don't, because what do I need people who just say yes?"

KATHY LEIGH:

Exactly.

GORDON DE BROUWER:

My experience is that most ministers do appreciate the advice. They do want it in private and they don't want you, in sense, advertising your difference or disagreements. So, that's where some of the concerns and fears around FOI periodically come up, but they do want it. I have found that the really important bit though, having gone through the Home Insulation Royal Commission, you have to put your advice in writing. If your advice isn't in writing, then actually when it comes down to the crunch, it's arguable to say that it never really existed. And that's one of the abiding lessons for the service is put your advice in writing. That's not a way necessarily of advertising it everywhere. There are protections, and especially, legal and confidence is a key one, and restricted circulation. But advice in writing is really important.

DAVID PEMBROKE:

Kathy, there was plenty of evidence that revealed a number of public servants were uncomfortable with the process but didn't speak up. The ATO advised the Department of Social Services that the scheme was unlawful and even government lawyers questioned its legality. Why do you think that happened, and how can the APS create a culture where that doesn't happen and doesn't happen again or doesn't happen frequently?

KATHY LEIGH:

I think the word culture is the key. I think there are lots of things that we must do to make sure that the public service has a very strong understanding of what its role is, and they go to all sorts of things. You can put it in legislation, as we've done policies. You need constant training. You need constant promotion. You need people that staff can go to for advice. For example, in the ACT, every directorate has a senior executive who's responsible for integrity and you can go to that person to get advice, or you can go to them to raise concerns that you have.

But ultimately, you can have all those formal measures and they're absolutely necessary, but in the end, you need senior leaders to walk the talk and to be known for their integrity. And the more that the senior leadership do that, the more it becomes the culture and the more it becomes self-sustaining. I think there's a real boiling frog issue and you need the boiling frog to be boiling the right way, so that it is promoting integrity and making it the norm around here.

DAVID PEMBROKE:

It's an interesting reflection perhaps from Kathy's answer, and Gordon, you are indeed a member of the secretary's board, a member of that senior leadership group in the Australian Public Service. How have they reacted? How have those secretaries reacted to the Robodebt Royal Commission?

GORDON DE BROUWER:

Well, I think that'll come out when we've got a final report.

DAVID PEMBROKE:

Okay.

GORDON DE BROUWER:

So, that's really the point there. But it's an issue. You know, it's talked a lot around the service, and it matters to people. And I think people see people who actually acted with courage through that process. They also see just how easy it is to be the frog in the boiling pot of, if you get a bit of pressure about asking questions, if there's a bit of discussion or review, what's the nature of hierarchy? Is hierarchy a way to enable people to do their job and take responsibility and make decisions, or is hierarchy a device to control and tell people to direct them? Those sorts of discussions really matter, and setting the tone and having actually continual conversations, as Kathy said, is really important.

DAVID PEMBROKE:

What about trust out of all of this as well, given that it's so fundamental, Kathy, to civil society and perhaps people reflecting? Gordon articulated the audiences who are listening today, and that core fundamental value of trust is required by the public service, so it can acquit its duties. How do you rebuild that trust?

KATHY LEIGH:

I think in the end, communication and two-way engagement is the answer to many issues. I think we need to be open and transparent. We need to be upfront and acknowledge when something goes wrong and when we do something wrong. We need to talk about the way it should have been handled, so that we can be clear to everyone about what the right way of doing things would look like. We need to talk about how we're going to remedy the problem that's been caused and how we're going to put in place measures to really minimise the risk that the same thing could ever happen again. I think if you're genuine and you're really engaged with people, that is, you're listening and acting, then people will come with you.

DAVID PEMBROKE:

Gordon, your views on restoring trust?

GORDON DE BROUWER:

I think Kathy said it brilliantly. If you want me to add to it, I don't know, it's, again, showing that you do your job well. And I think that's going back to your good at policy advice, program implementation, service delivery, but you do it with the values and the behaviour that are required of public servants. So, that's professional, ethical, respectful, open, impartial, and you show it, and people can see it. I think being honest actually is so important about regaining or growing trust, and I think actually showing empathy, showing that we are people. At times, we do our job really well, like in COVID, like with the pandemic, like with how staff were moved around, and sometimes we don't do it so well. The only way you learn is if you're honest about it and then be human about it, and frankly, to all the people involved.

DAVID PEMBROKE:

Kathy, during the COVID-19 pandemic, we could really see, you know, nimble, effective public services under great duress. That was both at the state and territory public services, and they were very responsive. How do you manage to balance that responsiveness to ministers' requests, but also at the same time, maintain integrity?

KATHY LEIGH:

I think it probably comes back to what we were talking about. You really need to have deeply ingrained in the public service a really clear understanding of the role of the public service in impartially supporting the government of the day. It needs to be the automatic default, so that people don't need to stop and think about it. And it's not just when people are under pressure. Public services

everywhere are trying to have flatter structures. So, you have more junior staff taking decisions. We're trying to bring people in from the outside at all levels who have less experience as public servants. So, we really need to make a conscious effort to making clear what our role is, what is appropriate, how we operate, and why that is so fundamentally important.

DAVID PEMBROKE:

And Gordon, for you, that balance between being responsive to ministers' requests whilst maintaining integrity?

GORDON DE BROUWER:

I'm really thinking of that ad that says, "por que no los dos." You can do both. You know, it's actually not that hard. The only way you can sustain delivery is if you've actually got the right behaviours underpinning it. That way, you can sustain that delivery over time. So, I just think myself, to put them in, they're not contra-distinctions, they're not alternatives. They go together and they actually quite straightforwardly go together. These things, when it comes to things like integrity, it's not a woke concept. It's actually just the law. It's just a basic legal requirement on you doing your job. But understanding that means that you can do the delivery, you can do all of that, but with integrity.

DAVID PEMBROKE:

So, trying to return to this question around culture and leadership and values across the APS and indeed, the ACT Public Services as well, they're big organisations. They're diverse organisations. They're located in all different parts of Australia, providing different types of services to the Australian people. How do you go about lifting the capability? It's a job that's never done, but how do you manage that? To embed those positive leadership values? To recognise them and incentivise them across the entire public sector? To you, Gordon, first.

GORDON DE BROUWER:

So, I, if you're looking for the structural response, so, absolutely talking about it a lot is really important. I think there are two really big things structurally that you do and that actually that's part of the reform agenda that's underway now. One is that when you look at departments or agencies, you're asking the question, "How does this agency perform on that?" That's why the government has agreed and will be in legislation to have independent, transparent capability reviews that look at actually the outcomes and the behaviour of departments as a whole or agencies as a whole. So, that's one structural feature.

The other structural feature is in setting the performance criteria and the performance management of senior officials, but actually all officials. And where that started is that it's public knowledge that the Chief Operating Officer Committee, the COOP Committee, is looking at actually what's best practice across the Commonwealth

Public Service, on identifying what's good delivery and what's good behaviour, and having performance systems and management systems and career development systems that combine those equally, so that they both matter.

And that the way you perform with both your delivery and the behaviours you exhibit matter to your position in the service and your promotion and actually whether you stay in the service. So, you build it in structurally in the performance and the career development. Most people, if the culture says, "Delivery and behaviours matter," the vast majority of people will respond very enthusiastically to that. And that's the starting point, but you also need a performance management system that actually formally assesses it and frankly screens people out who can't engage on that.

DAVID PEMBROKE: Kathy, your views-

KATHY LEIGH: Yeah.

DAVID PEMBROKE: On embedding leadership, embedding values, other things into the culture?

KATHY LEIGH: Yeah, very much agree with what Gordon said. You need to start with your selection processes, make sure your criteria reflect these values. The ACT selection criteria already include achieves results with integrity, and we need to be very overt that what's meant by that. Formal appraisal systems, again, not just focusing on outcomes but how they're achieved. In the end, poor behaviour isn't going to get you good outcomes overall. So, supporting poor behaviour and just focusing on outcomes isn't actually going to get the outcomes you want. So, being clear that the way people are appraised is against how they achieve things. And then, there are other things like staff awards. Our ACT staff awards, they're framed around our values. Respect and integrity are two of our four values. So, you're just constantly messaging to the public service.

Having compliance systems, they won't guarantee anything, but they do signal that this is really important because we've got formal compliance systems in place. But then in the end, I do come back to the culture, and I think if people know that certain behaviours are valued, they'll respond. They'll step up to that and you don't have to wait for the annual performance appraisal. It's the little things you do every day. When you acknowledge somebody who behaved consistently despite the circumstances, somebody who treated everyone fairly, someone who went that extra mile to make sure that somebody who was in a more difficult position could equally enjoy a benefit that others were enjoying, those signals go out

every day. And staff hear that, they repeat that, and they believe that it's important. I think the formal frameworks, again, it's a necessary, but it's those personal messages that people really believe, and they know that it truly is, you know, how we behave around here, what we're proud of.

DAVID PEMBROKE:

So, to you, Gordon, in her speech at the IPAA National Conference last year, Minister Gallagher called for the APS to create a, quote, "clear and inspiring purpose statement with a unified vision." Can you give us any insights into what that might look like?

GORDON DE BROUWER:

Yeah, thanks. And it's a really great thing that Minister Gallagher announced, and it came from the Thodey Review. And it was an idea that actually the service has to own its purpose. You talk about a purpose over the next five years because even just the things that are going on with integrity and other things, there are lots of current issues that play on what the service should do. Secretary's Board has had a discussion around this and agreed very firmly it's a bottom-up process, not a top-down process. That we're going to draw over the next few months, 40 people from across the various, all the different parts of the service, geographically different policy, program, service delivery, different kinds of people, different kinds of backgrounds, and they're going to work through what that purpose statement is but do that in a very consultative and open and engaged way with the rest of the service. So, it's a service-driven idea of purpose and that's a wonderful thing to do. And go to the APS Reform website to participate in it, and there'll be some direct communications with public servants about it. So, I think it's a great thing.

DAVID PEMBROKE:

Very encouraging, very positive, but if I might be a bit of a downer though, to bring us back to robodebt. At this early stage, as you say, Gordon, we don't have the findings, we don't know, you know, the clear and specific recommendations perhaps that we'll follow, but what have we learnt? What do you feel that we've learnt across this, and have you been surprised at the reaction inside the APS to what has happened?

GORDON DE BROUWER:

I think many people expressed their disappointment with it, but there's also people can see, "but for the grace of God go I", on some of these aspects. They can see some of those same pressures that we talked about in their own workplaces and maybe things could have done differently. They also see people who actually acted with courage throughout that, people with leadership, people who took responsibility, and they're inspired by that. They can also see that in some of these places, something bad happened, but they're also places where lots of good happens.

And that's where, for example, it was in some of those agencies where the response to the pandemic was brought home and very empathetic, very direct reaching into people's lives to help people. So, it shows a mix of things about the service, and it shows certainly where some of our strengths are, but also where some of our weaknesses are. And let's get in, be honest about that, but actually work out how do we repair and correct and make sure that doesn't happen in the past. Some of the structural things, the cultural things, the behaviour things are all part of that.

I think we do know that it's not just the outcomes, as I said, or delivery. It's also the behaviours that go with that, and they're very important. And again, they're not optional extras. They are the law. So, I think we've had some really good conversations around that and how to bring that in. So, it's an extremely sad and tragic episode, I think, for many, but it's also a way to get something good. When bad things happen, can you get good out of them? And there's a lot of good in the public service, and there's a lot of good people, really good people in the public service. And how do we bring that and strengthen that and always demonstrate empathy and compassion for people in that, for the members of the community, the public who are affected, but also actually for the public servants who are involved in it?

DAVID PEMBROKE:

Kathy, for you?

KATHY LEIGH:

Yeah, I think the empathy point that Gordon's just made is really important. I think we need to be able to put ourselves in the shoes of all the different members of our community who are impacted by what government does. You can't give the best possible advice to government if you can't do that. I think that probably also goes to another issue we haven't really touched on, and that is the makeup of our public services and the importance of them being drawn from all parts of our community, because how can we really be sure we've got the best public services if we've left out the great people in some part of our community and who can bring all of those different perspectives to test what we're doing?

DAVID PEMBROKE:

So, perhaps, just to wrap up, if I might ask both of you really to perhaps take a lead from there in terms of that, you know, diversity and inclusion about how we may strengthen the future public service, what does that modern, responsive, adaptive public service look like? The best practice one that we would always be striving for or should always be striving for.

KATHY LEIGH:

Well, it needs to be there to serve the government that the people have elected, but it needs to be able to do it impartially. It needs to have all of those hard skills, analytical skills, professional skills, but

it needs to be able to be responsive, to be able to jump to whatever the current challenge is, to be up for it, to be finding the solutions. It needs to be able to engage with the community, so that it can really understand what's going to work on the ground. It needs to be able to then deliver on the ground, which again is about being able to properly engage with the community. As I said, if we're not drawn from all parts of our community, we're less likely to have the skills to be able to do that. And finally, I think we will all be really proud of the difference that we make for our community.

DAVID PEMBROKE: Gordon, for you?

GORDON DE BROUWER: Well, I think Kathy [inaudible 00:30:08]. Have all of these things worked? Ministers say, "Gosh, the service is really good to work with, because they understand the issues. They can put the context. They can explain. They can see how things are connected and work. And when it comes to their policy advice, their implementation, and their service delivery, they're second to none. They know how to do it. They really are a great public service for me."

And then, the public, the community business go to ministers and say, "Gosh, your public service is great to work with, great to engage with. They are really good to engage with. They listen to me. They help me solve my problems. They've got my interests at heart as well in finding solutions. They know when I'm trying it on, but they're good to deal with and they really act with integrity. They know what they're doing, and they act with integrity."

KATHY LEIGH: Sounds good.

DAVID PEMBROKE: Hard to achieve.

GORDON DE BROUWER: No, no, and why would you ever settle for less, David?

KATHY LEIGH: Yeah.

GORDON DE BROUWER: Why?

DAVID PEMBROKE: Well, listen, Gordon de Brouwer and Kathy Leigh, thank you so much for joining me on Work with Purpose for this first of many, I would imagine, important conversations about the impacts and understandings. But I think it's important to, as you say, as both have said, that really to recognise and take from this what we can, not for a moment setting aside, you know, what has happened as a very serious episode of maladministration here in Australia. But certainly, I think those remedies and positivity, I think that can be built on and certainly, I think here at Work with Purpose and at

IPAA, there will be many conversations into the future as the public service continues to grow and to reach for its potential. Best of luck, Gordon, with your ongoing work at the Reform Office there inside Prime Minister and Cabinet.

GORDON DE BROUWER:

Thank you very much, David, and thank you, Kathy.

DAVID PEMBROKE:

And Kathy, to you, best of luck with your ongoing work as leading and reforming the ACT Public Service.

KATHY LEIGH:

Thank you, David, and thank you, Gordon.

DAVID PEMBROKE:

A big thanks to you, the audience, for coming back once again for this very important conversation. Please follow contentgroup and IPAA ACT on LinkedIn. And if you do have a question, email to events@act.ipaa.org.au. Work with Purpose is a collaboration between contentgroup and the Institute of Public Administration of Australia ACT, proudly supported by the Australian Public Service Commission. If you do get a chance to give us a rating or a review on your favourite podcast platform, Spotify, Apple, Stitcher, wherever, it does help the program to be found. So, we would appreciate that.

And there are a number of great reviews out there. So, thank you very much for those. And indeed, there are a number, I think it's more than 80 plus episodes now of Work with Purpose, which as I say has been to really shine the light on the Australian Public Service over the last few years. And hasn't it been great fun to deliver those programs over those last few years? And long may it continue. But anyway, on behalf of the IPAA ACT team, the team at contentgroup, thanks very much for joining us. My name's David Pembroke. We'll be back at the same time in a fortnight, but for the moment, it's bye for now.

VOICEOVER:

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