

## EXPLANATORY STATEMENT

### **PUBLIC SECTOR MANAGEMENT AMENDMENT STANDARD 2005 (No 1) DISALLOWABLE INSTRUMENT NO DI2005-2**

#### *Public Sector Management Act 1994*

#### Legislative Context

The *Public Sector Management Act 1994* (the Act) regulates the management of the public sector and, in particular, section 251 of the Act empowers the Commissioner, with the approval in advance of the Chief Minister, to make Public Sector Management Standards (the Standards) for the purposes of the Act.

#### Outline

Standard 6 Part 5 (Rule 2) deals with Performance Management Schemes as part of the performance management framework for the ACT Public Service (ACTPS).

The amendment to Standard 6 Part 5 (Rule 2) updates the Standard to reflect development of a new policy through the ACTPS HR Council – Managing and Recognising Performance. Under the new approach, the Commissioner for Public Administration will issue performance management principles and guidelines for application throughout the ACT Public Service. Agency Chief Executives will still be responsible for ensuring that Performance Management Schemes are in place and are consistent with the principles and guidelines issued by the Commissioner.

The initial approach under the Standard focused on compliance in making sure that agency schemes were in place. The service wide focus for performance management has now shifted from implementation to quality.

By issuing principles and guidelines, the Commissioner will encourage agencies to adopt consistent practices. Successful practices will be identified by periodically reviewing service wide progress. The Commissioner will encourage the spread of successful practices by issuing revised principles and guidelines. Successful performance management practices will also be reported in the State of the Service Report. A maturity model will assist agencies assessing their progress and in identifying areas for improvement.

Standard 6, Part 5 (Rule 3) deals with Performance Management Plans. The amendment to this rule removes reference to Purchase and Ownership Agreements, which are terms that are no longer used. Performance Management Plans are instead to be linked to agency objectives.

Standard 6, Part 5 (Rule 4) deals with studies assistance arrangements. The amendment removes references to an outdated policy, recognising that Chief Executives are responsible for the development of local studies assistance policies and procedures. The amendment also makes technical changes to ensure that these obligations are placed on any person who has control of staff under the Act, and clarifies that formal appeal and review procedures may be available under different mechanisms; in that review procedures are found under the Act or agency certified agreements.

#### Financial Impact

Nil.