

s 22(1)

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**From:** s 22(1) (OSI)  
**Sent:** Thursday, 22 June 2023 5:11 PM  
**To:** s 22(1) @osi.gov.au>  
**Cc:** OSI s 47E(d) @osi.gov.au>  
**Subject:** For your review: OSI Mandatory training - revised paper and supporting documents [~~SEC=OFFICIAL~~]

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Hi s 22(1)

Based on our discussion with Helen, HR team and A/g CFO s 22(1), I have:

- s 22(1)
- s 22(1)
- created Brown Bag lunch list (ADOC23/5811)

Can you please review these and see whether it is reflective of the meeting and thought-process?

s 22(1)

Thank you.

Kind regards,

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# Brown Bag Lunches

## 2023-2024

We are trialling 'Brown Bag Lunches' to be held every second month, as a casual, non-mandatory opportunity to learning and discuss issues that may impact OSI staff.

Date	Topic	Presenter	Duration	Location
August 2023				
October 2023				
December 2023				
February 2024				
April 2024				
June 2024	Learnings from the Royal Commission into the RoboDebt Scheme	TBA	TBC	TBC (online option available)



# AGS Understanding and navigating the Royal Commission into the Robodebt Scheme: outcomes and recommendations

Tuesday, 25 July 2023 3:51 PM

\*Not legal advice or Government position\*

Establishment overview.  
57 recommendations

## How did this happen?

- Time and scrutiny of decision making
- Media narrative
- Separation of legislative responsibility (Social Services) and policy implementation (DHS)

## Rec re vulnerable people

- Communication - initially confusing and cryptic letter. Recipient wouldn't know what to do with it. Also didn't provide warning of average wage approach. Also didn't consider whether the letter would be received - no regard to time past.
- Onus on the recipient to identify and resolve discrepancies.
- Approach was electronic. No regard to remote or persons needing assistance.
- Stereotyping of welfare recipients as untrustworthy and cheats.
- Centrelink knew of vulnerability and did nothing to act on that.

## Budget processes

- Failure to identify and manage legal risk.
  - o NPP that went to ERC went without indicating leg change was required (averaging of ATO data)
- When dealing with legal risk, use obvious language. What is required, at what point and by whom?

## Data matching and exchanges

- Personal information & Secrecy provisions. Protocols and frameworks in place to manage this.
- Despite this, Commissioner found that governance still not sufficient

## Automation

- Robodebt scheme used Automation not AI.
- No human check of discrepancy. If no interaction, the automation produced a debt notice and penalties.
- OAIC guide on automation provides clear guidance.

## Commonwealth lawyers

- Professional independence and sharing of significant legal advice did not occur.
- In-house lawyers instructed to stick to DSS and DHS TPs. Meaning could not be independent.
- Did not act on concerns voiced by legal experts.
- Siloed culture - in-house lawyers did not consider legal risks beyond that which was specifically asked of them.
- Authors pressed internally to amend advice to align with Senior Officers' direction.
- Importance of finalising legal advice.

All Commonwealth lawyers should familiarise themselves with the Legal Services Directions.  
Requirement to report legal issues to OLSC in AGD.

Missed opportunities to correct the path. 2017 Cth Ombudsman report and outcomes from AAT appeals (noting these were not public, but were available to the agency). Rec on Agency Heads to assist Ombudsman staff to conduct investigations.

## Cabinet records

- If available to public, could have influenced public discourse.

## APS Reform (section 7)

- Inadequate record keeping. Particularly around significant decisions.
- Transparent and considered decision making needs to be supported by documentation.
- Work as one Commonwealth

## Closing remarks:


- AGS soon to publish new briefings on duties to the court and professional ethics.
- Matt Blunn asked Justin Davidson one change he personally will be making as a result of the report. Justin answered he was a bit struck by the record keeping piece and will improve his file notes.

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welcome to the OSI intranet



 Send by email

Published 8/2/2023

Director-General all staff message: July 2023

Colleagues

July was another busy month for the OSI and I am very pleased with the progress being made as a result of your ongoing commitment and collaboration.

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- Finally, I would like to encourage you to read an [open letter](#) from **PM&C Secretary Davis** and **APS Commissioner de Brouwer** on the recent release of the findings from the **Royal Commission** into the **Robodebt Scheme**. The findings have serious implications for the broader public service and integrity, accountability and stewardship will be the key drivers as the taskforce works through the findings in an open and constructive way.

It has been a very busy time for everyone, and I extend my appreciation for your professionalism in progressing our work and I look forward to working with you in the next half of the year.

**Chris**  
**Director-General**

## Comments

s 22(1)

(OSI)

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**From:** Moraitis, Chris (OSI)  
**Sent:** Wednesday, 2 August 2023 11:10 AM  
**To:** [OSI - All Staff s 47E(d)]  
**Subject:** CM: Director-General all staff update: July 2023 ~~[SEC=OFFICIAL]~~

**OFFICIAL**

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Chris  
Director-General

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s 22(1)

**(OSI)**

**From:** Daniels, Helen (OSI)  
**Sent:** Monday, 13 November 2023 2:13 PM  
**To:** [OSI - All Staff § 47E(d)]  
**Subject:** FW: FOR INFO - Government's response to the Report of the Royal Commission into the Robodebt Scheme [SEC=OFFICIAL]  
**Attachments:** gov-response-royal-commission-robodebt-scheme.pdf

**OFFICIAL**

Good afternoon

Given the importance of the recommendations of the Robodebt Royal Commission for all public servants please see attached the Government's response to the 56 recommendations.

Many are directed at improving the social services system and decision-making. There are also recommendations that go to the role of government lawyers, legal advice, the Legal Services Directions and the role of AGS and OLSC.

I would encourage you to read through some of these responses as their implementation will help address improved integrity in the APS.

Helen

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**From:** s 22(1) @osi.gov.au  
**Sent:** Monday, 13 November 2023 1:30 PM  
**To:** Daniels, Helen (OSI) § 47E(d) @osi.gov.au; s 22(1) @osi.gov.au; Moraitis, Chris (OSI) § 47E(d) @osi.gov.au; Butler, Kieran (OSI) § 47E(d) @osi.gov.au  
**Cc:** OSI § 47E(d) @osi.gov.au; s 22(1) @osi.gov.au  
**Subject:** FOR INFO - Government's response to the Report of the Royal Commission into the Robodebt Scheme [SEC=OFFICIAL]

**OFFICIAL**

Hi all,

You may have seen the press conference with the Minister for the Public Service, the AG and Minister for Government Services in the last hour to announce the Government has accepted all 56 recommendations from the Robodebt Royal Commission.

A PDF of the Government Response is attached.

At the press conference, the Public Service Minister said there are more than a dozen investigations that are underway following the robo-debt royal commission – there were 16 referrals to the Public Service Commissioner, all of which have started as an investigation. The Attorney-General and Minister Gallagher would not comment on whether there would be any criminal proceedings into the referrals.

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<https://www.pmc.gov.au/resources/government-response-royal-commission-robodebt-scheme>

Today, the Australian Government released its response to the report of the Royal Commission into the Robodebt Scheme.

The Australian Government has carefully considered the Royal Commission's report and recommendations.

The Government has **accepted** or **accepted in principle all 56 recommendations** made by the Royal Commission.

The Government Response commits to action to implement the recommendations, and reinforces the Government's commitments to improve trust in government, deliver strong institutions, invest in a capable public sector and ensure people are at the centre of policy development and government service delivery.

Additional funding is being provided to support implementation of the Government Response.

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Kind regards,

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s 22(1)

Director, Communication | Office of the Special Investigator

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Published 11/17/2023

## Message to all staff - APS Integrity Taskforce Report

Colleagues,

Today the Secretaries Board published the APS Integrity Taskforce report '[Louder than Words: An APS Integrity Action Plan](#)'.

Integrity is deeply important to our work in the public service. It underpins the trust of the Australian public, who rely on us to serve their interests and deliver the best outcomes for Australia.

The Secretaries Board is committed to promoting a pro-integrity culture where all staff feel confident to contribute ideas, provide frank and independent advice and report mistakes. In this spirit, Secretaries Board set up the APS Integrity Taskforce.

The Taskforce was asked to take a 'bird's-eye' view of the APS integrity landscape, to identify gaps and look for opportunities to learn from and build upon the important work already progressing across the service. The work of the Taskforce complements the Integrity pillar of the government's APS Reform agenda and the establishment of the National Anti-Corruption Commission. It is particularly pertinent in the context of the release of the [Government's Response to the Robodebt Royal Commission](#) this week.

We encourage all staff to reflect on how integrity shapes our work for the Australian public. The '[Integrity Good Practice Guide](#)' includes a range of practical examples of how you can contribute to a pro-integrity culture.

Work to implement the Taskforce's recommendations is already underway and will ensure we have the right frameworks in place to recruit and to recognise people whose behaviour is consistent with the public service values. A revised [SES Performance Leadership Framework](#) gives equal weighting to leadership behaviours as well as outcomes. The APS Academy's [Integrity Masterclass](#) is running regularly for SES leaders. There are also measures to focus on ensuring legality across APS practices and government policies, programs and services, reinforcing the importance of good recordkeeping, and enhanced contract management and procurement practices.

Thank you for your ongoing commitment to embodying the [APS Values](#) in every aspect of your work.

**Professor Glyn Davis AC**

Secretary

Department of the Prime Minister and Cabinet

**Dr Gordon de Brouwer PSM**

Australian Public Service Commissioner

## Comments