

Questions and Answers

Strategy &
Governance
Realignment
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NSW Trustee
& Guardian

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Questions and Answers

This Question and Answer document aims to provide more information to staff on the Strategy & Governance Realignment.

Can the functions of the new structure be further defined?

Below is a summary of key responsibilities by teams/function, based on the revised structure released in March 2020:

Policy, Change & Continuous Improvement

- Responsible for quality Parliamentary, Cabinet and certain Ministerial advice (excluding Ministerial complaints)
- Policy development, review & coordination, including monitoring/coordinating operational policies
- Monitoring Reforms and Inquiries and overseeing submissions
- Business performance, including developing (or supporting the development of) plans, monitoring and reporting progress against plans
- Further developing the change management framework and embedding across the organisation
- Developing a continuous improvement framework and benefits realisation framework, and implementing related initiatives

People & Culture

- Advisory model using a business partner style-model (between NSW TG People & Culture and NSW TG business units)
- Some shared services with the Department of Communities & Justice will continue, such as payroll
- Advising on HR/employee relations matters
- Conduct/misconduct matters
- Advising/supporting grievance resolutions
- Workforce strategy and organisational design
- Organisational culture
- Work health and safety programs/injury management
- Manage work cover claims
- Project manage initiatives under the People & Culture plan and other projects
- Oversee the learning and development framework and solutions, including training
- Recruitment support, including link to onboarding and offboarding

Audit, Risk & Compliance

- Manage internal audit function and support external audit
- Oversee the corporate risk framework and reporting
- Oversee the compliance framework and reporting
- Audit and Risk Committee support and secretariat
- Managing and reporting to oversight bodies
- Managing and reporting other ethical-related matters

Ministerial & External Relations Team

- Oversee the complaint management framework
- Oversight complaints (tier 2 and tier 3 complaints – generally not tier 1 or frontline complaints)
- Information access requests, GIPA etc
- Coordinate information with external stakeholders

Administration

- Administration support across the division, e.g. GIPA and learning and development etc
- Secretariat support
- Support for Director

It should be noted these do not reflect key responsibilities of the structure released in February 2020.

Could changes to the Audit, Risk & Compliance team be highlighted to provide a better understanding of the team's history?

The Compliance and Audit team was part of the former Service Advisory Division. As part of transferring the team to the newly created Strategy & Governance Division, changes were made to the team's structure that reflected its operation. Two roles were transferred to the former Service Delivery Division and the team structure was formalised as the Audit, Risk & Compliance team.

There is currently no change proposed to the Audit, Risk & Compliance team, except for Private Management accounts review. Roles have mostly been focused on particular areas, including audit, risk, compliance or ethics. However, staff have very generic Role Descriptions (RDs), which don't articulate what they do. The revision of the RDs was part of NSW TG's RD rewrite program. The RD updates will now be done as part of the Strategy & Governance Realignment.

The Private Management accounts review will transfer to Trustee Services with a grade 1/2 role, as client work aligns better with that division. As the private management work is classified as first-line of defence activities under the organisation's Internal Audit Charter, it is more appropriate that it is separated from the Audit, Risk & Compliance team, to ensure no impairment to internal audit.

The Director, Trustee Services is determining the location and resourcing of the work. Once the Director has made this determination, in consultation with staff from Trustee Services, a transition plan will be developed and oversighted.

Why are the Change & Continuous Improvement and Policy & Strategy teams being merged?

Merging the policy and change management teams will strengthen the feedback loop between policy and effective change management when policy changes are required. It would also provide further clarity on how the strategy-related roles in the Policy & Strategy team, align to other strategy work, such as change management.

While both the Senior Manager, Change & Continuous Improvement role and Senior Manager, Policy & Strategy role have key peak times, based on the tasks required of each role and other information, it is management's view that the merger is appropriate. The merger has taken into account future considerations, such as a tapering-off of workload for the Change team and workload of the Policy & Strategy team. Under the revised model, the Senior Manager role would be supported by the Policy Manager role, which is more focused on non-operational policy matters.

In addition, the size of the Change & Continuous Improvement team of two people is very small. Incorporating them into a team along with policy, will provide opportunities to cross-skill.

How will Knowledge Management work under the new structure?

Knowledge management will still exist. However, it will be devolved from Strategy & Governance as it aligns more with operational policy and communications/engagement, rather than corporate policy.

Under the revised arrangements, the Division will still retain some oversight of ensuring operational policies and procedures remain up-to-date and a general coordination/quality assurance role where policies impact multiple parts of the agency. Parts of the function, such as identifying links between different documents, may sit with business Subject Matter Experts (SMEs) in the relevant division. Directors will identify relevant SMEs, such as Core Technical Knowledge Managers and ensure they are appropriately resourced.

Parts of the function will be performed by Communications & Engagement, as they are better aligned. These parts include updating the intranet and coordinating requests, including updates to TEAMS letter templates. This streamlines the quality assurance part of the process, as Communications & Engagement has a broader role in reviewing communication to customers. A Steering Committee will provide governance and oversight across the business during the transition.

Following consultation why have resources been refocused from Reforms and Inquiries to business planning/performance?

NSWTG received advice on 13 March 2020, that Government will not progress the Guardianship reforms in the manner proposed (Please note this information was provided to NSWTG confidentially and it should not be further distributed without approval from the Director, Strategy & Governance). The Manager, Reform & Inquiries role was established in the most part to progress the Guardianship reform proposal and monitor Royal Commissions and other Inquiries. Given this change in direction by Government, the Manager, Reform & Inquiries role will be refocused to a Manager, Business Performance role. A lack of business/divisional planning was a gap identified by staff in feedback during the consultation.

The Manager, Business Performance will be responsible for developing the annual report, business plan, coordinating divisional plans across the organisation and monitoring performance against Key Performance Indicators.

The remaining tasks that would have been undertaken by the Manager, Reform & Inquiries, such as monitoring Royal Commissions, could be undertaken by the Manager, Policy role. Certain tasks, such as supporting relations with NCAT and Service NSW could sit with the new Manager, Business Performance role.

What is the impact on managing relationships with the NSW Civil & Administrative Tribunal (NCAT) and Service NSW?

Currently the Policy & Strategy Branch provides support for key relationships with NCAT and Service NSW. The relationship with NCAT is also being managed at a higher-level. The Chief Executive Officer (CEO) of NSW TG meets regularly with the Head of NCAT's Guardianship division to ensure professional relations. The Director, Trustee Services and the Public Guardian will develop their own relationships with the Registrar at NCAT, as is appropriate. The Registry, which is being established, will manage more transactional matters. Further, Trustee Services will have greater involvement in managing the relationship with Service NSW and revising the service agreement. Major negotiations could be supported by a new procurement and supplier relationships role that has been identified as an emerging priority by the Executive Leadership Team.

Strategy & Governance will still have some continued involvement in these relationships in the revised structure. A Steering Committee will oversee transfer of this work, and ensure any risks and dependencies are identified and mitigated. As mentioned above, certain tasks, such as supporting relations with NCAT and Service NSW could sit with the new Manager, Business Performance role.

How will learning and development be delivered under the new model?

Over the past few years, NSW TG has changed the way it delivers training. Training is regularly delivered by experts in their area, such as Core Technical Knowledge Managers delivering technical training in Trustee Services, solicitors delivering enhanced training on will drafting and Audit, Risk & Compliance delivering ethics training.

In the revised structure, it is planned that learning & development will be provided through a combination of the following:

- some face-to-face training will be delivered by the proposed Learning Solutions Advisor in the revised structure
- core technical knowledge staff and solicitors will deliver in-house technical training
- training from the Department of Communities & Justice, including training provided by the Organisational Development & Learning team, existing on-line training and leadership development will be leveraged, and
- external training and on-line training will be leveraged, where appropriate and practical.

The revised model is consistent with the provision of learning & development across the NSW Public Sector.

How will staff across the organisation have input into learning and development?

Management will consult with staff on their learning & development needs by undertaking a Training Needs Analysis, as part of the People & Culture Plan. The Training Needs Analysis will inform a future plan, in consultation with staff. It will consider other needs, such as training budget. NSW TG is currently scoping engagement of an independent expert to do this.

Why have two roles changed grades in the People & Culture team following consultation?

The Manager, Work, Health & Safety role was graded at a 9/10 level based on consideration of the work the role would be required to do. The specialised nature of the role and higher-level strategic tasks justified the grading of 9/10. The grading was endorsed by the Department of Communities and Justice, People Directorate.

Following feedback received through consultation and further research, this role has been revised to a grade 7/8. Based on research, a grade 7/8 role will be sufficient for management of work cover claims, injury management, supporting work health and safety programs and other routine tasks.

The role will still support implementing recommendations from the audit into Work Health & Safety, however additional support from other role(s) in the team will be needed. Therefore, based on this change and other feedback from staff received during consultation - that greater resourcing is required to implement the People & Culture Plan, the Project Officer role has been re-graded from a 7/8 to 9/10.

The Senior Project Officer role (grade 9/10) will provide greater project management support to implement initiatives under the People & Culture plan. It could also support the Work Health & Safety audit project and some of the higher-level learning and development projects. The Senior Project Officer role has remained temporary for up to 2 years to provide flexibility in the structure. After this time, the role may be made ongoing, re-graded or re-prioritised, depending on business need at that time. Implementation of projects will be carefully monitored during the transition, ensuring any risks are identified and mitigated.

The plan uses the term technical HR expertise, what is meant by this?

The plan notes that more technical HR expertise is required and refers to the new roles requiring HR occupational specific capabilities across HR services. This will enable the People & Culture team to become more independent and not rely on the Department's HR Business Partner model. Noting that some shared services with the Department will still exist and these are being negotiated through the Service Partnership Agreement.

The term 'technical' has been used in a human resource sense to refer to occupational specific capabilities and does not refer to specific knowledge or technical knowledge, such as deceased estates or will drafting.

What are the rules about span of control for an Executive Band 1 role?

In 2013, the Public Service Commission released interim guidelines, *Government Sector Employment Act 2013 Interim guidelines on requirements for NSW Public Sector executive restructures & assessments* to align with the intent of senior executive reforms.

The interim guidelines noted it is not appropriate to apply a fixed span of control ratio across the sector, as the optimum number in each case depends on the nature of the work undertaken, the degree of variability amongst the subordinate roles, external contract management responsibilities, supervision of contractors, job-share and part-time arrangements, etc. However, the benchmark 5-7 should be taken as a guide and

consideration of departures from this should have regard to factors such as those listed above.

The People Directorate, Department of Communities and Justice has confirmed that the new structure will not require changes to the Director role. Neither are Band 1 roles required to have 5 direct reports. The appropriate number of direct reports is determined by complexity and operational needs.

Regardless of the above, once the new structure is implemented, a trial of the Manager, Ministerial & External Relations (M&ER) reporting to the Director will be undertaken to determine if the reporting arrangements are effective. The aim is to create greater links between the CEO, CEO's office and the M&ER team, as well as bringing the Manager, M&ER into the Strategy & Governance leadership team.

What support and development will be provided?

The People Directorate, Department of Communities and Justice will provide coaching to staff to assist them with applications and interview techniques.

If a vacancy exists and existing employees at the same grade have matching focus capabilities and essential experience, they may be assigned to a role in compliance with section 46 of the *Government Sector Employment Act 2013*.

Where staff have similar capabilities and experience to a vacant role (but may not quite meet the role requirements exactly), then training and development may be offered, as appropriate.

Where the skills and experience of a vacant role are different to those of an employee, then it may not be practical to use development opportunities for the staff member to meet the requirements of a particular role. Other options may be possible, such as re-assignment to a vacant role, where skills and experience are better matched.

What happens if I'm on leave during the placement process?

If you are on leave during the placement process, then this will be taken into account. Staff will be offered appropriate flexible arrangements, such as organising interviews around leave dates where possible or interviews that take into account leave arrangements, such as by telephone or video link (skype or MS Teams).

Are redundancy payments available as part of Realignment?

The Director, People & Culture, Department of Communities and Justice advised staff during the consultation that no voluntary redundancy (VR) program was available. This means that a VR is not automatically available to staff prior to the placement process.

Step 4 of the placement process involves managing any excess employee(s). Should an ongoing employee not be placed following steps 1 to 3 of the placement process, then part of managing excess employees includes access to a VR.

What were the deficiencies identified with the current structure?

The plan notes that changes are required due to both structural deficiencies and changed business need. The deficiencies identified with the current structure were a lack of ongoing administration support for the division and a lack of clarity on how the strategy-related roles in the Policy & Strategy team, align to other strategy work, such as change management. Further, the division's risk planning work identified key-person dependency risks.

Further, business needs have changed over time. These changes include:

- there is now a requirement to introduce an internal Work, Health and Safety resource, as identified by the Work, Health & Safety audit
- more training across NSW TG is provided by experts in their area, which has enabled a review of our learning and development model
- a greater focus on project management is required by the People & Culture plan, and
- the impact of Machinery of Government changes - the current Department of Communities and Justice shared corporate services model does not meet our IT, procurement or human resource needs. These changes have necessitated NSW TG to re-consider the business partner and support model it uses from the Department.

Is it proposed to still use a HR business partner model with the Department of Communities and Justice, once the new structure is implemented?

A new Service Partnership Agreement is being developed between NSW TG and the Department of Communities and Justice, based on the revised structure. This agreement will provide clarity on roles and responsibilities. Enhanced system, software access and other requirements will be negotiated as part of the Service Partnership Agreement process. Delegations will also be revised, as necessary.

Once the NSW TG People & Culture team is in place, the team will transition to deal directly with the Department's Centres of Excellence, where a matter cannot be fully resolved within NSW TG. Certain services will remain shared services, such as payroll and these will be negotiated as part of the Service Partnership Agreement.

A plan will be developed to ensure that transition to the new structure is planned and implemented effectively, with any risks identified and mitigated.

What approach was used to develop the new structure?

The Director, Strategy & Governance developed the new structure in consultation with the Executive Leadership Team and the People Directorate, Department of Communities and Justice. The Director, Strategy & Governance has previously undertaken larger organisational restructure projects, in the role of Director, Reform and other roles.

Information, including high-level data if available, was used to analyse business requirements, key tasks and accountabilities of roles and functions. Decisions to transfer all or parts of tasks/functions to other divisions was made in consultation with that division's Director and the Executive Leadership Team. To help inform the structure of the People & Culture team, other organisations' human resource functions were reviewed. Advice was provided throughout the development of the new structure by the People Directorate, Department of Communities and Justice.